

***Inter-Agency Campaign on Violence Against Women  
and Girls***

***(UNIFEM - UNPD - UNICEF - UNFPA - ECLAC - UNHCR - UNAIDS - UNHCHR)***

**UNITED NATIONS DEVELOPMENT PROGRAM  
UNDP**

**Regional Project RLA/97/014**

***National Reports on the Situation of Gender Violence  
Against Women***

**NATIONAL REPORT  
TRINIDAD and TOBAGO**

**APRIL 1999**

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January 1999 - April 1999<sup>1</sup>

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<sup>1</sup> The Final Report was submitted and approved by the Technical Coordinator of the Project in April 1999. Nevertheless, as of October 1999, certain complementary information has yet to be compiled. As such, it is a work in progress.

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## **GENERAL INTRODUCTION**

In March 1998, various agencies of the United Nations Organizations (UNO) joined forces to launch the Campaign for Women's Human Rights, whose theme is "A Life Free of Violence. It's Our Right." It is coordinated by the United Nations Development Fund for Women (UNIFEM), the United Nations Development Programme (UNDP), the United Nations Fund for Population Activities (UNFPA), the United Nations Children's Fund (UNICEF), the United Nations Joint Program on HIV/AIDS (UNO-AIDS), the High Commissioner for Human Rights (UNHCHR), the High Commissioner for Refugees (UNHCR), and the Economic Commission for Latin America and the Caribbean (ECLAC). In various countries, other agencies have also joined, such as the Pan-American Health Organization of the World Health Organization (PAHO/WHO) and the HABITAT Program for Urban Management for Latin America and the Caribbean.

In commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights and the fifth anniversary of the Declaration and Plan of Action of the Vienna Human Rights Conference, the Campaign for Women's Human Rights was created in 1998 to advocate against the global scourge of gender violence against women.

The global commitments outlined in international instruments are of fundamental importance in the fight to eliminate violence against women and serve as building blocks for the evolution of the issue. While the Universal Declaration established the universal and indivisible character of human rights of all people, the Vienna Conference went further recognizing its political, social, cultural and economic character as well. It consecrated as a basic human right, the right to development, including those to health, education and a life free of violence. The Vienna Declaration was groundbreaking in that it married women's rights to human rights, underlining the importance of women's participation, as agent and beneficiary, in the development process and in all activities, of the UN system and/or nations and governments. An emphasis was given to targeting work toward the elimination of violence against women in public and private life, to all forms of sexual abuse, exploitation and mistreatment of women; to sexual prejudices in the administration of justice; and, to the conflicts arising between women's human rights and certain traditional practices, customs or acts of religious extremism.

For its part, the Beijing Conference of 1995 reiterated the conclusions and commitments made in Vienna on human rights of women and identified the fight against violence as one of the twelve strategic areas that its Plan of Action was to address.

Consequent to the Conferences and global instruments, which outlined the minimum standards of human rights, the agencies of the UN launched the Inter-Agency Campaign on Women's Human Rights "A Life Free of Violence; Its our Right", which produced, among other things, various publications, two internet sites, and sensitizing workshops and forums.

In June 1998, as part of its contribution to the Campaign and in its capacity as a founding member, the United Nations Development Programme (UNDP) launched a regional project for Latin America and the Caribbean (Regional Project RLA/97/014). Under this programme UNDP undertook to produce a body of knowledge on the subject so far absent everywhere in accessible and relatively standardized form. Thus, one of the most significant outputs of the programme constituted the production of "National Reports on the Situation of Domestic Violence Against Women". These National Reports compiled, systematized, analyzed and provided updated information on the situation of domestic violence against women for each country. Further and more important, perhaps, is the catalytic effect that the process of report production actually had in terms of bringing together policy makers, implementation agents and non-governmental organizations, to constitute the critical mass required to take forward the issue and its corresponding agendas for progress. An estimated 13-19 countries have committed with UNDP to such report production under the aegis of the Campaign.

Specific objectives of the reports themselves included:

- To systematize all available information concerning gender violence in the country in agreement with the content and format design of the Terms of Reference, so as to allow for the preparation of a regional report based on the information.
- To support the mandate of the Special Rapporteur of the UN Human Rights Commission in gathering information and other relevant data regarding violence against women and girls.
- To provide updated information on the progress made by each country in achieving the goals outlined in the 1995 Beijing Platform for Action.
- To identify the limitations of existing social and institutional responses to gender violence, through an analysis of the ongoing experiences within each country.
- To provide guidelines and frameworks for future actions aimed at the prevention and eradication of violence against women in the country and in the region.

- To identify and document best practices developed in the area of gender violence against women and girls.

The general coordination of the Regional Project was assigned to the Latin America and Caribbean Bureau of UNDP, headquartered in New York, and directed by Aparna Mehrotra, who was responsible for the creation, initiation and coordination of the project at the regional level from June 1998 to June 1999. Danielle Benjamin has been responsible for coordinating the project since June 1999. The technical coordination of the Regional Project was headquartered in Costa Rica and directed by Ana Isabel Garcia Q., with the technical assistance of Ana Lorena Hidalgo.

At the operational level, the project involved the identification of national consultants either by the UNDP representative in the country offices or more often, by an inter-agency gender team. Each county consultant (or team) followed a standardized terms of reference for the national reports and presented a work plan before initiating the report. Such a process resulted in close interaction (mainly through electronic communication) between the national consultants, the Technical Coordinator of the project and the official UNDP representatives designated by each country office (usually this being the UNDP Gender Focal Point within the country who in turn directed the inter-agency effort in the UN inter-agency gender thematic groups ).

Fundamental to the methodology followed for report production were the organization of two key meetings held at the national level:

- a) The first meeting occurred at the initiation of the project, primarily to introduce the project objectives to local organizations and institutions working on the issue of gender violence and to solicit their support;
- b) The second meeting occurred after approximately two-thirds of the preliminary report had been prepared. The objective of this second meeting was to assess the goals of the report, share preliminary results, and identify areas where information was lacking (including examples of best practice). Especially important for this second meeting was the process of legitimizing the report and the information contained within among the participating sectors, including governmental and non-governmental actors.

It was recommended that a wide number and range of organizations be represented amongst both the governmental and non-governmental sectors. In the very least it was suggested that following institutions constitute the minimal network for participation in report production and validation: the National Office of Women's Affairs; the Ministries of Health, Education, Labor and Justice; civil society groups that specialize in this area, including women's organizations; the Judiciary; Police; Ombudsman Office (if one

exists); UN agencies, donors as well as any other organization relevant to the problem being addressed (including organizations dealing with social security and child care, among others).

In the first meeting, the consultant analyzed, with the participants, the purpose of the report and its main research areas in order to assess the potential of missing aspects that should be incorporated. The meeting was also used as a vehicle for identifying possible sources of information, as well as to provide the participants the opportunity to input to the report, thus completing the basic and initial goals of information collection requested in the terms of reference of the project.

According to the terms of reference, it was also suggested the further follow-up meetings be carried out with the particular organizations, should it be considered relevant and important for the purpose of the reports. However, it was considered imperative that the second and final meeting, which was used to legitimize the report, involve all sectors and institutions.

Additionally, and once again in accordance with the standard and established terms of reference, after the initial meeting, the consultants were to submit a research proposal and work plan for comments and approval to the project's regional coordination office in San Jose and to the coordinating headquarters in New York via local UNDP COs. While overall coordination, strategic guidance, financial administration and quotidian liaison with the country offices remained with New York headquarters, the technical and methodological aspects were handled by the coordinator in San Jose.

The research methodology reflects the viewpoints and initiatives of the multiplicity and diversity of social actors, both state institutions and civil society, involved in programs and services dealing with gender violence.

The operative strategy and methodology used by each consultant for the preparation of the National Reports are published in each document as an annex (persons/entities interviewed, bibliography, list of organizations, etc).

The work of each national consultant has consisted fundamentally of compiling, systematizing and analyzing all documented information and references on each theme. This entailed that the UNDP representative within country offices identified potential institutions and persons of interest within the country. This list was then supplied to the Technical Coordinator, who then prepared profiles and made suggestions regarding the best approach for investigating the issue domestically.

Further, the project proposed a structured format for presenting the reports, more-or-less acting as a guide in which to facilitate the homologous nature of all country reports. This task became one of the greatest challenges for report finalization.

From the contractual point of view, the report was considered final only once the consultant had made all the necessary revisions, starting with the initial report, and once all aspects solicited by the Coordinators had been included. The majority of the country team reports followed the process, although in some there were discrepancies due to local conditions, initial lack of experience (which improved the process with time) or initial selection of inappropriate consultant teams. Thus, in some instances the reports do not in fact follow the pre-determined structure and outline, and are not as finely homologous as was initially hoped and anticipated. Also, efforts were consciously made to respect the style and presentation of the individual consultants' reports, only providing editing recommendations when considered necessary. All attempts were made to preserve the very national texture of each report - a texture determined largely by the specificity each the national process and the diversity of participants that it encompassed.

It is the sincere desire of the Programme Coordinators that the national reports, while not perfect by any means, serve to contribute to the systematization and accessibility of information on the issue in a manner that assists to better advocate for the progress that is sorely needed to eliminate the scourge of gender violence everywhere.

New York October1999

## **Introduction of Methodology**

This national report commissioned by UNDP was prepared largely by the consultants Rhoda Reddock and Rosalie Barclay. The report was initiated in January of 1999 and submitted to the UNDP Coordinators of the project in April 1999. From the point of view of UNDP this report is still a work in progress considering that several changes requested by the coordinators is still pending. Nevertheless, in the interest of making information available to the general public as soon as possible, access to the report is being provided. At this stage, however, the contents of the report are considered the responsibility of the consultant team and not of UNDP or the UN system. Presented below as quotations are the methodological details provided by the authors of the report.

"Although a general framework for conducting of this research exercise was provided, an approach based on the specificities of Trinidad and Tobago had to be developed. For example being a two-island state, four preparatory meetings were held two each in Tobago and Trinidad.

### *Meetings and Focus Group Discussions*

The first meetings were held with heads of relevant agencies to acquaint them with the exercise and to request their support. The second meetings brought together a wider range of persons representing agencies working in the area of gender violence. These included crisis centres, shelters and safe homes, childrens' homes, state and parastatal institutions, women's organisations, men's organisations, community organisations and religious organisations.

These meetings served to ascertain possible sources of data; shortcomings and gaps in available data; to identify priority areas of interest and need; to gain support for the research exercise and to choose a local committee to select 'best practices'. Participants commented on the proposed content of

the report and gave recommendations for the efficient collection of data. The participants also acknowledged the limited time available for the preparation of a comprehensive report such as this.

In order to examine the involvement of various categories of professionals in this area, a focus group meeting was organised with representatives of various groupings of workers. Invitations were sent to professional organisations of doctors, media workers, social workers, lawyers and teachers as well as individual practitioners known to the researchers. Medical practitioners, teachers, media workers attended the meeting and a very fruitful discussion took place yielding some important information.

### *Documentary Material*

A major component of this research exercise, and indeed the most difficult and time-consuming was the collection of documentary material. Letters were sent to institutions especially state institutions requesting copies of relevant documents, annual reports, statistics collected etc. This was done both in Trinidad and Tobago. Additionally during interviews at these agencies personal requests were made for relevant documents. What became clear is that many agencies do not have such information. Annual reports are not always produced, statistical data are not kept and or the persons involved do not see the relevance between the information, which they may have available and the research exercise at hand. This has been the main factor contributing to the delay in producing the report.

### *Interviews*

The other most important aspect of the research process was a number of face to face interviews carried out with relevant state, community-based and civil society organisations and agencies. A number of interview schedules were prepared for each type of agency. Interviews were carried out separately in Trinidad and Tobago.

### *Selection of Best Practices*

This turned out to be a very significant aspect of the research exercise. As mentioned above a selection committee was established with representatives of state and non-state agencies. The agencies represented were:

### State

The Community Policing Unit,  
National Family Services,  
Domestic Violence Unit  
Non-State

Mizpeh House (Shelter for Battered Women)  
Zoe Foundation  
Men against Violence against Women  
Living Water Community

At the first meeting called of this committee, the criteria for the selection of best practices were identified. Additionally convenor and deputy convenors of this committee were selected. These persons were responsible for convening future meetings of this committee.

At this meeting a major discussion emerged about the process through which cases were being selected to bring before the committee. One of the problems identified at this point was the involvement of stakeholders in the selection process. Some persons felt strongly that their agency should be selected for consideration. As a result of the discussion, the criteria for selection were more clearly defined and a format for the preparation of cases was worked out (See Appendix). This meant that more cases had to be produced for consideration by the committee than originally envisioned. This development of these cases also proved to be a very time-consuming aspect of this process.

Generally, the research exercise used a number of methods and approaches but the problems in collection of such data point to the many shortcomings in this area."

## Country Description

Trinidad and Tobago is the most southerly state in the Caribbean archipelago. Comprising two separate islands, it is situated 10 degrees North of the Equator and 60 degrees West latitude. While Trinidad is just a few miles off the Venezuelan coast, Tobago lies a few miles north east of Trinidad and is more similar in topography to the other islands north of it than it is to Trinidad. In 1989, Trinidad was administratively linked to Tobago creating the two-island state of Trinidad and Tobago.

After decades of colonialism by various European powers, Trinidad and Tobago became independent from Britain in 1962 and acquired republican status in 1974. Under the 1976 constitution, Trinidad and Tobago became a parliamentary democracy with a Senate and House of Representatives. Legislation passed in 1980 gave Tobago considerable autonomy with the establishment of a separate Tobago House of Assembly with 15 members. In 1987, Tobago was granted internal self-government. Indeed much of Tobago's earlier history is more closely linked to the other islands of the Eastern Caribbean islands than it is to Trinidad.

The differences in historical development are most obvious in the contrast between the demographic composition of the two islands; Trinidad's ethnic diversity on one hand and Tobago's predominantly African population on the other. Trinidad and increasingly Tobago is also multi-religious. All of these factors are significant in understanding the complexities and specificities of gender relations in this country.

**TABLE 1**  
**Ethnic Origin**

| <b>Ethnic Origin</b> | <b>Trinidad</b> | <b>Tobago</b> | <b>Trinidad &amp;<br/>Tobago</b> |
|----------------------|-----------------|---------------|----------------------------------|
| African              | 37.41%          | 91.93%        | 39.9%                            |
| Indian               | 37.5%           | 2.4%          | 40.4%                            |
| Chinese              | 0.4%            | 0.1%          | 0.38%                            |
| Syrian/Lebanese      | 0.09%           | 0.03%         | 0.08%                            |
| White/Caucasian      | 0.66%           | 0.36%         | 0.6%                             |
| Mixed                | 19.01%          | 4.48%         | 18.4%                            |
| Other                | 0.15%           | 0.24%         | 0.15%                            |
| Not Stated           | 0.42%           | 0.70%         | 0.43%                            |

**Source: Trinidad and Tobago, 1990 Population and Housing Census, Demographic Report, Central Statistical Office, Port of Spain.**

**TABLE 2  
Religion**

| <b>Religion</b>                 | <b>Percentage</b> |
|---------------------------------|-------------------|
| Anglican                        | 10.9%             |
| Roman Catholic                  | 29.39%            |
| Baptist (Orthodox)              | 2.99%             |
| Hindu (Sanatanist)              | 9.77%             |
| Hindu (Other)                   | 13.97%            |
| Jehovah Witness                 | 1.32%             |
| Methodist                       | 1.2 %             |
| Islam (Sunni)                   | 2.13%             |
| Islam (Other)                   | 3.71%             |
| Pentecostal                     | 7.47%             |
| Presbyterian/<br>Congregational | 3.44%             |
| Seventh Day Adventist           | 3.7%              |
| None                            | 1.21%             |
| Other                           | 7.84%             |

Source: Trinidad and Tobago, 1990 Population and Housing Census  
Central Statistical Office, Port of Spain.

In 1990, the total population<sup>2</sup> of Trinidad and Tobago was 1,169,572. 50.02% or 585,127 female and 49.97% or 584,445 male. Generally the age-sex distribution between the sexes was fairly equal with slight differences and the sex-ratio was almost

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2. The total population according to the 1990 Census was 1,169,572 - 563,900 female and 560,268 male. Of this number however, 44,444 were unenumerated i.e. were in institutions or unenumerated households (1990 Census,xiii).

equal 99.9 males to every 100 females (CSO, 1990: xiv). It is important to note that close to one-third of the population is less than 15 years of age.

**TABLE 3**  
**Age/Sex Distribution, 1990**

| <b>Age Group</b> | <b>Male</b> | <b>Female</b> | <b>Both Sexes</b> |
|------------------|-------------|---------------|-------------------|
| 0-14             | 32.6%       | 31.9%         | 32.2%             |
| 15-29            | 26.3%       | 25.9%         | 26.1%             |
| 30-44            | 19.3%       | 19.1%         | 19.2%             |
| 45-59            | 10.2%       | 10.4%         | 10.3%             |
| 60 and over      | 7.9%        | 8.9%          | 8.4%              |
| Not Stated       | 3.7%        | 3.6%          | 3.7%              |

Source: Trinidad and Tobago Population and Housing Census, 1990.

### **Education**

Normally Trinidad and Tobago is perceived as a country with a relatively high level of education. According to the 1998 *UNDP Human Development Report*, 96 percent of the population had attained primary level and 72% secondary level education in 1995. In both cases the rate of female enrollment as a percentage of male enrollment was substantially higher. In the case of primary education, this was 112% and 120% for secondary education. These figures for school enrollment contrast somewhat with recent studies of functional literacy, which suggest that in spite of school attendance, illiteracy still persists in some circumstances. As a result whereas official data using the criteria "years of schooling" give Trinidad and Tobago a literacy rate of 97% for female and 98.8% for male (UNDP, 1998:131), smaller surveys based on literacy tests have had different results.

This was examined in a 1994 Survey by the Adult Literacy Teachers Association (ALTA) and corroborated by a 1995 study on literacy was funded by the Trinidad and Tobago Commission for UNESCO and executed by Institute of Social and Economic Research (ISER) of the UWI, St. Augustine campus. It was found that overall an estimated 12.6% of the population 15 years and over was illiterate; while a further 8.7% were seen to be "peripherally illiterate". Interestingly, 16.2% of persons currently working were found to be illiterate.

Levels of adult literacy were highest among the youthful population aged 15-24 years. For persons less than 40 years of age, higher levels of literacy were observed among women as opposed to men. For persons aged 40 years and over, the situation is reversed as higher literacy levels are found among men than among women. Clearly reflecting the changes in gender relations over the years.

The sample of the 1995, ISER study consisted of 986 female and 836 male respondents. Resulting from this survey, 14.2% of all males were estimated to be illiterate as compared to 11.2% of females. Among younger persons aged 15-24 years and 25-39 years, the findings point toward higher levels of illiteracy among men than among women. With respect to older persons aged 40-54 years and 55 years and older, the situation is reversed with women having higher levels of illiteracy than men (St. Bernard and Salim, 1995:xi).

**TABLE 4**  
**Highest Level of Educational Attainment – 1990**

| <b>Education Level</b>   | <b>Male</b> | <b>Female</b> | <b>Both Sexes</b> |
|--------------------------|-------------|---------------|-------------------|
| NONE                     | 10.5%       | 11.5%         | 11.0%             |
| Nursery/<br>Kindergarten | 3.0%        | 2.9%          | 2.9%              |
| Primary                  | 48.8%       | 46.9%         | 47.9%             |
| Secondary                | 33.4%       | 34.9%         | 34.2%             |
| University               | 2.2%        | 1.6%          | 1.9%              |
| Other                    | 0.8%        | 1.0%          | 0.9%              |
| Not Stated               | 1.3%        | 1.1%          | 1.1%              |

Source: Trinidad and Tobago Population and Housing Census, 1990.

According to these figures the levels of educational attainment are relatively similar between the sexes except for slight differences. There has been much stated concern however within the anglophone Caribbean generally over the perception of male under-achievement in education. Although this is not evident in these figures, more detailed figures are seen as cause for concern.

In 1990 there were still more females who had received no education but this was primarily in the higher age groups and males exceeded females among the university-educated population (2.2% and 1.6% respectively) which overall was an extremely small proportion of the population. These figures however reflected a changing situation in that since that time the number of females registered and graduating from the University of the West Indies (UWI) has come to exceed that of males as seen in the table below.

**TABLE 5**  
**Enrollment at the University of the West Indies, St. Augustine Campus**

| Degree           | Full -Time                    |                               |             | Part -time                   |                               |             |
|------------------|-------------------------------|-------------------------------|-------------|------------------------------|-------------------------------|-------------|
|                  | Male                          | Female                        | Total       | Male                         | Female                        | Total       |
| Under-graduate   | 1778<br>(47.0%)               | 2003<br>(52.9%)               | 3781        | 135<br>(31.3%)               | 297<br>(68.8%)                | 432         |
| Diploma          | 11<br>(21.1%)                 | 41<br>(78.8%)                 | 52          | 36<br>(26.7%)                | 99<br>(73.3%)                 | 135         |
| Certificate      | 8<br>(30.8%)                  | 18<br>(69.2%)                 | 26          | 93<br>(33.2%)                | 187<br>(66.8%)                | 280         |
| Higher Degrees   | 96<br>(43.6%)                 | 124<br>(56.3%)                | 220         | 532<br>(54.4%)               | 446<br>(45.6%)                | 978         |
| Advanced Diploma | 3<br>(100.0%)                 | 0                             | 3           | 35<br>(35%)                  | 65<br>(65%)                   | 100         |
| <b>TOTAL</b>     | <b>1896</b><br><b>(46.4%)</b> | <b>2106</b><br><b>(51.6%)</b> | <b>4082</b> | <b>831</b><br><b>(43.2%)</b> | <b>1094</b><br><b>(56.8%)</b> | <b>1925</b> |

Source: UWI Statistics, 1996/1997.

Interestingly, the number of females enrolled part-time in undergraduate programmes is more than double that of males. In spite of this however, men still exceed women in part-time registration for higher degrees, which is the larger category of registration. Although the numbers are fairly equal overall for all registrations, much attention has been given to this fact and indeed there is call for research into the reasons for this trend. It should be noted however, as we have seen above, that the university-educated population is an extremely small proportion of the national population and the reality of the majority of women in the country leaves much to be desired.

This is especially so as technical/vocational education is still largely limited to males. Young girls in secondary schools are not encouraged and often not allowed to do technical subjects such as woodwork, metalwork, technical drawing etc. Similarly trade schools and technical institutes are largely gender differentiated and girls and boys are directed into sex-stereotyped occupations.

For young women who do not complete formal education therefore, employment opportunities are limited as they are excluded from most of the skilled trades except dressmaking and catering. Data on vocational and technical education reflect this disparity.

**TABLE 6**  
**Enrollment in Technical and Vocational (Craft) Schools**  
**by Broad Area of Study and Sex**  
**1994/95 and 1995/96**

| Subject Area                      | MALE    |         | FEMALE  |         | TOTAL   |         |
|-----------------------------------|---------|---------|---------|---------|---------|---------|
|                                   | 1994/95 | 1995/96 | 1994/95 | 1995/96 | 1994/95 | 1995/96 |
| Fine and Applied Arts             | 18      | 8       | 26      | 5       | 44      | 13      |
| Commercial Subjects (typing etc.) | -       | n.a.    | 45      | n.a.    | 45      | n.a.    |

|                                      |             |             |            |            |             |             |
|--------------------------------------|-------------|-------------|------------|------------|-------------|-------------|
| Trade, Craft & Industrial Programmes | 946         | 1359        | 99         | 211        | 1045        | 1390        |
| Engineering                          | 128         | 178         | 2          | 2          | 130         | 180         |
| Service Trades                       | 40          | 28          | 127        | 60         | 167         | 8           |
| <b>TOTAL</b>                         | <b>1132</b> | <b>1573</b> | <b>299</b> | <b>278</b> | <b>1431</b> | <b>1671</b> |

Source: Trinidad and Tobago Central Statistical Office, Annual Statistical Digest, 1996, . 80-81.

### **Labour and Employment**

Labour Force Survey Data reveal that although there is an overall decline in unemployment over the period 1993 -1995, there continues to be a higher proportion of unemployed women than men as a percentage of the total labour force. Figures show that for 1993, 1994 and 1995, 23.4%, 22.3% and 20% of women in the labour force were unemployed, while for the corresponding periods, 17.6%, 16.1% and 15.1% of males were unemployed. There are however, encouraging signs in figures which show a greater overall decline in unemployment of 5.9%, among females, compared to 3.7% among men for the 1994-1995 period.

This finding should be tempered however by two factors, one the fact that unemployed women are often 'hidden' in the categories 'not in the labour force' or 'economically inactive - home duties' and so do not appear in unemployment figures. Unemployed women have the option of defining themselves as housewives or as unemployed. Increasingly many women are doing the latter but it is often noted that as female unemployment figures increase so too does figures of those 'not in the labour force'. A second factor is of course that of migration.

The 1992 Survey of Living conditions noted that long-term unemployment was a greater problem for women than for man. For example it was found that whereas youth unemployment was serious for both sexes, for males this persisted until age 30, while for females it continued until ages 31-40. It also noted that older women tend to have higher unemployment rates. In addition to the above, the current downturn in the economy brought on by the decline of the Asian economies and fall in oil prices suggests that this trend may not continue in the near future.

One solution used by women especially since the economic 'downturn' of the 1980s and the introduction of structural adjustment policies, has been migration, especially to the United States and to a lesser extent Canada, in the former case often illegally. As a result reliable statistics on migration are not easily available. The World Bank in 1983 identified the Caribbean as the region with the highest rates of migration in the world.

Occupational data continue to show that fewer women than men are employed as Senior Officials, Managers and Professionals. Relative to their proportion in the population, women are also over represented in the clerical category. Data also reveal however, that there has been an increase in the proportion of females in the senior professional and professional categories between 1994 and 1995. The percentage of females in the clerical category has remained the same.

In spite of the relative increases in women's participation at all levels in the labour force, and in spite of their high levels of educational attainment and increased participation in various professional fields, women continue to fall at the lower end of the socio-economic ladder and face discrimination in the level of wages which accrue to them, when compared to men. Individual labour market participants analysed across quintile<sup>3</sup> show that 60.6% of senior male professionals, compared to 56% of females in the same category fall in the fifth quintile.

On the other hand, in the clerical category that comprises 72% females, only 39.5% compared to 50% males can be found in the fifth quintile. It is noteworthy that in the Professional category, where women comprised 42% of that category in 1995, 76% of females compared to 67.4% of males fell into the fifth quintile. According to *The Worlds' Women - 1990*, throughout the world, women have greater opportunity for career advancement in the public sector. This is also true in Trinidad and Tobago. Privatization therefore has to be seen as not simply a neutral macro-economic policy but an extremely gendered one.

In spite of their higher educational qualifications, women continue to be underpaid from every perspective and in every sector of employment, except when employed by the State. Women also earn lower monthly wages than men at every occupational level and at practically every level of educational attainment (See Table 7).

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<sup>3</sup> Information was extracted using the SLC 1992. Source- Report No. 14382-TR "Trinidad and Tobago Poverty and Unemployment in an Oil Based Economy", October 27, 1995.

**Table 7**  
**Employed Labour Force by Sex and Occupational Group**  
**1995/1996**

|   | 1995     |      |        |    | 1996     |      |        |   |
|---|----------|------|--------|----|----------|------|--------|---|
|   | Employed |      |        |    | Employed |      |        |   |
|   | Total    | Male | Female |    | Total    | Male | Female |   |
|   |          |      | Nos.   | %  |          |      | Nos.   | % |
| Legislative Srs.Officials Managers        | 302      | 182  | 120    | 40 | 295      | 172  | 123    |   |
| Professions                               | 132      | 77   | 55     | 42 | 139      | 84   | 55     |   |
| Technicians & Associate Profs.            | 429      | 194  | 235    | 53 | 493      | 230  | 263    |   |
| Clerks                                    | 490      | 137  | 353    |    |          |      |        |   |
| Service & ShopWorkers (inc.defense force) | 586      | 299  | 287    | 49 | 628      | 330  | 298    |   |
| Agriculture, Forestry & Fishery Workers   | 192      | 172  | 20     | 10 | 190      | 167  | 23     |   |
| Craft and Related Workers                 | 750      | 661  | 89     | 12 | 740      | 646  | 94     |   |
| Plant and Machine Operators Assemblers    | 395      | 349  | 46     | 12 | 389      | 339  | 50     |   |
| Elementary Occups                         | 1037     | 703  | 334    | 32 | 1081     | 724  | 357    |   |
| Not Stated                                | 2        |      |        |    | 1        |      | 1      |   |

Source: Trinidad and Tobago, Central Statistical Office, The Continuous Sample Survey of Population: Labour Force Report 1995.

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**TABLE 8**  
**Monthly Wages on Primary Job by Sectors of Employment by Sex, 1995**

| Sector of Employment         | AVERAGE MONTHLY WAGE |      |        |              |
|------------------------------|----------------------|------|--------|--------------|
|                              | Both                 | Male | Female | % difference |
| <b>FORMAL SECTOR</b>         |                      |      |        |              |
| Public Sector                |                      |      |        |              |
| Statutory Boards             | 2486                 | 2531 | 2444   | 3            |
| Parastatals                  | 2507                 | 2528 | 2429   | 4            |
| Central/State Gov            | 2137                 | 2120 | 2166   | -2           |
| <b>PRIVATE FORMAL SECTOR</b> | 1446                 | 1655 | 1129   | 32           |
| <b>INFORMAL SECTOR</b>       |                      |      |        |              |
| Unpaid Worker                | -                    | -    | -      | -            |
| Learner                      | 211                  | 215  | 120    | 44           |
| Apprentice                   |                      |      |        |              |
| Own Account                  | 1005                 | 1089 | 772    | 29           |
| Informal Sector Employer     | 2210                 | 2584 | 2066   | 20           |

**TABLE 9**  
**Monthly Wages on Primary Job by Occupation and Sex, 1996**

| OCCUPATION                                 | AVERAGE MONTHLY WAGE |      |        | % difference |
|--|----------------------|------|--------|--------------|
|  | Both                 | Male | Female |              |
| Legislators, Senior Officials and Managers | 3100                 | 3800 | 2400   | 36           |
| Professionals                              | 5200                 | 5500 | 4700   | 15           |
| Technicians and Associate Professionals    | 3100                 | 3500 | 2800   | 20           |
| Clerks                                     | 2000                 | 2200 | 1900   | 14           |
| Services Workers                           | 1600                 | 2000 | 1100   | 45           |
| Agriculture Workers                        | 900                  | 1000 | 700    | 30           |
| Craft and Related Workers                  | 1500                 | 1600 | 800    | 50           |
| Plant Machine Operators and Assemblers     | 1800                 | 2000 | 1000   | 50           |
| Elementary Occupations                     | 1100                 | 1200 | 700    | 42           |

Source: Trinidad and Tobago Central Statistical Office, Continuous Sample Survey of Population, Labour Force Report, 1996.

**TABLE 10**  
**Monthly Earnings by Highest Level of Education by Sex - 1995**

| EDUCATION      | AVERAGE MONTHLY WAGE |             |              |
|----------------|----------------------|-------------|--------------|
|                | Male                 | Female      | % difference |
| No Degree      | 1270                 | 788         | 38           |
| School Leaving | 1769                 | 1392        | 21           |
| CXC Basic      | 877                  | 872         | 1            |
| GCE (O) 1-2    | 1509                 | 1083        | 28           |
| GCE (O) 3-4    | 1698                 | 1307        | 23           |
| GCE (O) 5      | 2790                 | 1956        | 30           |
| GCE (A) 1-2    | 2011                 | 2690        | -34          |
| GCE (A) 3      | 2242                 | 2162        | 4            |
| Diploma        | 2859                 | 2740        | 4            |
| Degree         | 5746                 | 3541        | 38           |
| Other          | 1600                 | 1352        | 15           |
| <b>TOTAL</b>   | <b>1750</b>          | <b>1500</b> | <b>14</b>    |

Source: Trinidad and Tobago, Central Statistical Office, CSSP, Labour Force Report, 1995

## Health

Reports on infant and maternal health usually report that women and children in Trinidad and Tobago are in relatively good health. The availability of basic health and social services improved consistently since the post-war period facilities such as access to clean water, immunization and access to pre and ante-natal health has gone a long way towards providing this. Between 1970 and 1990 for example, crude death rate declined from 7.7 to 6.6 and life Expectancy has increased from 65.7 to 70.1 (World Bank, 1995:49). As noted by one report on seven Caribbean territories including Trinidad and Tobago:

Children and women living in the seven Caribbean countries have generally experienced good health status and have managed to eliminate many of the basic health problems normally associated with the developing world. Improvements in nutrition, sanitation, access to immunization, and family planning during the past few decades have contributed to lower mortality rates and increased life expectancy (UNICEF, 1997:51).

In spite of this these gains over the past decades however, they are now under serious threat as a result of the introduction of neo-liberal economic policies usually in the form of International Monetary Fund (IMF) or World Bank loan conditionalities and structural adjustment policies. Through the loss of foreign exchange in debt repayments, privatisation of state agencies including aspects of the health and social services, removals of subsidies on basic food items and cutbacks generally in education and social spending including on public health facilities and services, the quality of services available has in many cases deteriorated or become economically inaccessible.

These economic difficulties have come at periods especially in Trinidad and Tobago, of rapid urbanization and consumerism, which exacerbate the problems of highly inequitable income distribution patterns and increasing poverty. Indeed the 1995 World Bank study suggests that inspite of these gains:

"Yet, the health status of the population still falls below that of many middle-income countries, largely due to limited preventative care and the low quality of services offered in both the public and private sector. Nearly 50 percent of the population still dies before they have reached the age of 65 with many of these deaths avoidable (World Bank, 1995:49)"

The main causes of death are heart disease, cancer, diabetes, cerebrovascular disease and injuries. There is great concern at the increasing incidence of old and new communicable disease such as the rising incidence of tuberculosis and the high incidence of HIV/AIDS. Trends also show slight increases in the infant mortality rate after some reductions in previous years.

**TABLE 11**  
**Trinidad and Tobago - Infant Mortality Rate - 1989 - 1994**

|      |       |
|------|-------|
| 1989 | 10.2% |
| 1990 | 12.7% |
| 1991 | 11.0% |
| 1992 | 10.4% |
| 1993 | 12.2% |
| 1994 | 13.8% |

Source: UNICEF, *The State of Eastern Caribbean Children*, 1998. pp 52

| <b>Health Expenditure and Personnel</b> |                             |                              |                                |      |
|---|-----------------------------|------------------------------|--------------------------------|------|
|   | <b>Health Expenditure</b>   |                              | <b>People Per Nurse</b>        |      |
| Total % of GDP (1990-1995)              | Public % of GDP (1990-1995) | Private % of GDP (1990-1995) | 1980                           | 1983 |
| 3.9                                     | 2.6                         | 1.3                          | 381                            | 247  |
|   | <b>People per Physician</b> |                              | <b>People per Hospital Bed</b> |      |
|   | 1980                        | 1983                         | 1980                           | 1993 |
|   | 1,377                       | 1,520                        | -                              | 308  |

Source: *World Development Indicators*, 1997

### **Violence as a Health Issue**

Violence generally has also been identified as a serious health problem in Trinidad and Tobago. Criminal violence of which gender violence is an important component has been increasing in recent years and has had its toll on the health system. Data on this however are not easily available but can be discerned by the increase in offences against the person brought to courts in Trinidad and Tobago.

### **Equity in Decision Making and Power Sharing**

Although still a minority, women account for more than 15% of parliamentary representation in Trinidad and Tobago. In 1999 there are two female ministers of government and two parliamentary secretaries or junior ministers. Female representation is greater in the nominated Senate than the elected House of Representatives.

The common areas of responsibility, when holding ministerial portfolios however tend to be community development, information, women's affairs, sports, culture, youth affairs, social services and consumer affairs. At present however one female minister is Minister of Legal Affairs. The other is in the Ministry of Gender and Culture Affairs

so both are in portfolios that can have an important impact on gender violence. Although it is true that women are consciously excluded from many leadership positions. Many women resist incorporation into a political and leadership culture characterised by competition and adversarial partisanship.

In both the public and private sector, few women have been able to ascend to the very top occupational levels. In 1985 women occupied 29% of the high decision making posts of range 60 and over in the public sector. Data also reveals that although women account for 44% of trade union members, only 7.6% occupy executive positions. These positions were spread across 8 of the 28 trade unions that exist in Trinidad and Tobago. In two of the trade unions where women comprised more than half of the members, there were no women in executive positions. One woman occupies the highest executive position in a trade union where 81% of the members are women. Each trade union has an average of 7 executive posts.

## Conceptual Reference

The study uses as its conceptual reference the definition of gender violence against women included in the OAS Convention de Belem do Para (Inter-American Convention) to prevent, penalize and eradicate violence against women. This Convention was agreed to in 1995 and Trinidad and Tobago as a member country of the OAS is a signatory to this convention. This report takes as its definition of gender violence against women the following extract from this convention:

"Any gender-based action or conduct that causes death, harm or physical sexual or psychological suffering to women, both in public and private life (article 1). And concludes therefore that this would include any physical, sexual and psychological violence:

- (a) that takes place within the family or domestic group or in any other interpersonal relationship, both if the offender currently shares or shared in the past the same home with the woman, and it includes among others rape, battering and sexual abuse.
- (b) that take place in the community and that is perpetuated by any person and that includes among others, rape, sexual abuse, white slave trade, forced prostitution, kidnapping and sexual harassment in the workplace and in educational or health institutions or in any other place and:
- (c) that is perpetuated or tolerated by the State or its agents no matter where it occurs (article 2).

In everyday practice in Trinidad and Tobago however, a number of agencies are involved in some way in the issue of gender violence.

## CHAPTER I

# ***INCIDENCE AND PREVALENCE OF GENDER VIOLENCE IN TRINIDAD AND TOBAGO***

It is generally agreed that violence in general and gender violence in particular is endemic in Trinidad and Tobago. This feeling is reflected in the data received from a 1998 study of 200 women in Trinidad which found that of the sample 84% thought that violence against women was prevalent in this country.

**TABLE 12**  
**Respondents Perceptions on Prevalence of Violence**  
**in Trinidad and Tobago**

| <b>Degree of Prevalence</b> | <b>Percentage of Respondents</b> |
|-----------------------------|----------------------------------|
| Not Prevalent               | 2.5%                             |
| Somewhat prevalent          | 9.5%                             |
| Very Prevalent              | 84.0%                            |

**Source: CAFRA, A Pilot Survey of the Incidence of Violence and Responses to such Violence among 200 Randomly Selected Women in Trinidad, 1998**

Unfortunately however no single system of data collection exists through which a ready picture of the national situation can emerge. A wide array of institutions - state, non-governmental and religious involved in work related to gender violence exists, as will be seen in this report and many collect data at various levels and with differing degrees of detail for their own purposes. It was with this in mind that the Domestic Violence Unit

of the Division of Gender Affairs hosted a meeting of relevant agencies on 26, February 1999 to begin the process of instituting a centralised system of data collection on domestic violence in Trinidad and Tobago. Additionally, the National Family Services division of the Ministry of Social and Community Development, is in the process of developing a centralised system of data collection on child abuse and together these two systems would go a long way towards addressing the limitations of the present system.

In the meantime however, the prevalence and incidence of gender violence in Trinidad and Tobago has to be derived from a range of data sources each using different variables, terminologies and based on different assumptions and definitions. The main problem of the data is of course one of reliability. This is a common problem in most parts of the world because of the problem of gender violence. Data collection systems therefore depend on reports by victims/survivors; client intake forms at service institutions, court records; or more recently in this case crime statistics. The strengths and limitations of these will become clear as the analysis proceeds.

The passing of the Sexual Offences Act of 1986 and the Domestic Violence Act of 1991 has meant that the Central Statistical Office can now collect crime statistics in these areas. The limitations of this are many however in that: the indicators used are still based on criminal definitions and understandings of the problem; and additionally data are not always disaggregated by sex. Published crime statistics, for example, do not include the numbers of women killed by men or vice versa although spousal murder is a frequent occurrence in this society as shown in other data made available by the Ministry of National Security.

**TABLE 13**  
**Numbers of Murders committed by way of Domestic Violence, 1990-1996**

| <b>YEAR</b> | <b>NUMBERS OF<br/>WOMEN</b> | <b>MURDERS</b> | <b>COMMITTED<br/>TOTAL</b> |
|-------------|-----------------------------|----------------|----------------------------|
|-------------|-----------------------------|----------------|----------------------------|

|              |           |           |           |
|--------------|-----------|-----------|-----------|
| 1990         | 4         | 3         | 7         |
| 1991         | 3         | 4         | 7         |
| 1992         | 12        | 6         | 18        |
| 1993         | 3         | 12        | 15        |
| 1994         | 4         | 5         | 9         |
| 1995         | 10        | 8         | 18        |
| 1996         | 5         | 1         | 6         |
| <b>TOTAL</b> | <b>41</b> | <b>39</b> | <b>79</b> |

Source: Ministry of National Security

Two sources of generalised data on gender-related violence however are the rape crisis centres run by the Rape Crisis Society of Trinidad and Tobago and the more recent Domestic Violence Hotline data derived from the Hotline 800-SAVE run by the Domestic Violence Unit of the Division of Gender Affairs. The data collected from these two sources reflect only those persons who have used the services provided and therefore are not a reliable source for national level analysis. Accessing the services also depend s on the reach of information and education on the service provided; access to telephones and/or ability to pay transportation costs; self-confidence to use the system and the location of the service.

### 1.1. Rape

Data from the Rape Crisis Centres over the years suggest that acquaintance rapes i.e. rape from close friends and/or relatives formed the majority of cases brought to their attention. Stranger rape then gang rape followed this. As shown in the following table however, in 1997, the proportions of acquaintance rape was almost equal to that of stranger rape suggesting an increase in the latter. Additionally there has been an almost twofold increase in reports of gang rape, a suggestion that the public space has become more hostile to women. A number of reasons can be suggested for this.

**TABLE 14**  
**Categories of Rape Reported by Clients to the Rape Crisis Centres**  
**1994 and 1997**

**1994**

|                   |       |
|-------------------|-------|
| Acquaintance Rape | 68.0% |
| Stranger Rape     | 24.4% |
| Gang Rape         | 7.6%  |

**1997**

|                   |       |
|-------------------|-------|
| Acquaintance Rape | 45.5% |
| Stranger Rape     | 41.1% |
| Gang Rape         | 13.3% |

**Source: Annual Report, Rape Crisis Society, 1994 and 1997 and RCS  
Statistics  
1991-1997.**

**TABLE 15**  
**Rapes/Sexual Offences Reported in Trinidad and Tobago – 1996**  
**by Administrative District and Region**

| REGION  | NUMBER | PERCENTAGE |
|---|--------|------------|
| <b>St. George</b>   |        |            |
| Port of Spain   | 37     | 12.5%      |
| Western Division  | 22     | 7.5%       |
| North Eastern Division  | 12     | 4.1%       |
| Northern Division   | 65     | 22.0%      |
| <b>St. Andrew/St. David</b>   |        |            |
| Eastern Division<br>(Sangre Grande, Matura,<br>Biche, Manzanilla, Toco, Mayaro) | 25     | 8.5%       |
| <b>Caroni</b>   |        |            |
| Central Division<br>(Chaguanas/Couva)   | 43     | 14.5%      |
| <b>Victoria</b>   |        |            |
| Southern Division   | 43     | 14.5%      |
| <b>St. Patrick</b>  |        |            |
| South-Western Division  | 28     | 9.5%       |
| <b>Tobago</b>   |        |            |
| Tobago Division   | 20     | 6.8%       |

Source: Trinidad and Tobago Central Statistical Office, Report on Crime Statistics, 1996.

**TABLE 16**  
**Rapes/Sexual Offences Reported to Police in Tobago by Police Station - 1996**

| Police Station | Nos. of<br>Rapes/Sexual<br>Offences | Percentage |
|----------------|-------------------------------------|------------|
| Scarborough    | 5                                   | 25%        |
| Old Grange     | 5                                   | 25%        |
| Roxborough     | 8                                   | 40%        |
| Crown Point    | 1                                   | 5%         |
| Moriah         | 1                                   | 5%         |
| Charlotteville | 0                                   | 0%         |

Source: Trinidad and Tobago, Report on Crime Statistics, 1996 pp.19.

What is clear is that the official crime statistics do not give an accurate picture of the incidence or prevalence of rapes and sexual offences in Trinidad and Tobago. Unfortunately there is no Rape Crisis Center in Tobago so these alternative data are not available for Tobago.

## **1.2. Child Abuse**

A 1993, UNICEF commissioned, *Situational Analysis of Children in Especially Difficult Circumstances in Trinidad and Tobago*, referred to the 1987 report of the Committee to Examine the Entire Family Services Delivery System in Trinidad and Tobago, which had noted that:

The most difficult problem, encountered was an inability to obtain reliable figures on the incidence of child abuse and neglect, mainly because there was "no system for data collection, coding, analysis, reporting or dissemination of this information by the many agencies to which victims of abuse go for help. (Sharpe and Bishop, 1993:33).

Six years later, the situation has not changed much as the now published crime statistics still leave much to be desired. Drawing on the experiences of the Medical Social Worker for County Caroni, the report noted that:

- The majority of cases are reported long after the incident occurred, which makes medical proof impossible, and as such, police action or legal action cannot be taken;
- In a number of cases, it has been found that police action is more likely when the initial report is made to the police, rather than to a social service agency;
- Many persons in authority (such as the police, medical personnel and teachers) continue to ignore cases of abuse, particularly physical abuse, because of cultural norms and an unwillingness to become further involved.

The medical social worker, County Caroni, had reported 55 cases of child neglect in 1990, 42 cases in 1991 and 42 cases in 1992. Accompanying problems included: financial problems, poor parenting skills, relationship problems and psychiatric illness as well as domestic violence and substance abuse (Sharpe and Bishop, 1993:36-7).

The 1993, study presented a fairly comprehensive picture for child abuse and neglect in Tobago as shown in the table below:

**TABLE 17**  
**Child Abuse and Neglect in Tobago – 1992**

| <b>Nature of Abuse</b> | <b>No. of Children</b> | <b>Percent of Total<br/>Number of Children</b> |
|------------------------|------------------------|--|
| Neglect                | 24                     | 17.7%  |
| Physical Abuse         | 20                     | 14.8%  |
| Sexual Abuse           | 16                     | 11.8%  |
| Abandonment            | 15                     | 11.1%  |

**Source: Jacqueline Sharpe and Joan Bishop, Situational Analysis of Children in Especially Difficult Circumstances in Trinidad and Tobago, UNICEF, 1993, pp. 38.**

The study went on to note that of the reports of sexual abuse for the period January 1990 to June 1991 in Tobago, 53 individuals were reported to have been abused. Of this 48 were female and 5 male. The victims were in the age range 2-18 years of age.

Data from County Victoria in 1990-91 identified the most affected age range as 11-14 years, although a 2-month old baby had been sexually abused (Sharpe and Bishop, 1993:38).

According to the CSO crime statistics, in 1996, 148 children, 68 or 46% Male and 80 or 54% female were referred by district courts to the Probation Services as a result of child abuse. Of this, 47.6% were for physical abuse, 26.7% sexual abuse, 15.0% neglect and 10.7% emotional abuse; while 33.1% were between the ages of 8-10 year, 31.8% Under 8 years, 24.3% 11-13 years and 10.8% 14-16 years. Unfortunately data on Tobago were not included.

Bearing in mind that in most instances the custodial parent was the mother, and child neglect is linked to abuse, it should not be surprising that according to this source, mothers were the largest numbers of abusers (49 or 32.9%), but followed closely by fathers (40 or 26.8%). The data available gave no clues as to which parents tended to be responsible for which types of abuse i.e. physical, emotional, sexual or neglect. Interestingly the largest number of applications were made in the Sangre Grande District Court (62 or 46.3%), followed by St. George West - 28 or 20.9%. No applications were made in the Princes Town and Mayaro/Rio Claro District Courts.

**TABLE 18**

Abusers in Child Abuse/Neglect Cases Referred to Probation Services by District Courts

| <b>Abusers</b> | <b>Number of Cases</b> | <b>Percentage</b> |
|----------------|------------------------|-------------------|
| Mother         | 49                     | 32.9%             |
| Father         | 40                     | 26.8%             |
| Both Parents   | 11                     | 7.4%              |
| Step Mother    | 17                     | 11.4%             |
| Step Father    | 17                     | 11.4%             |
| Other          | 15                     | 10.1%             |
| <b>TOTAL</b>   | <b>149</b>             | <b>100.0</b>      |

Source: Republic of Trinidad and Tobago, Report on Crime Statistics, 1996, pp.33

Although rape has been the main focus of the activities of the Trinidad and Tobago Rape Crisis Society, clients using the services usually reflect a wide range of gender

violence needs. For example from its inception, child abuse cases have come to their attention, and indeed have often formed a large component of their caseload. According to the counsellor/administrator at a recent the 1999 workshop on Data collection on Domestic Violence, the Centres usually deal with child sexual abuse that is defined as "sexual exploitation of a child by an older person". Over the years, the number of reports received have varied ranging from a very high 44 in 1993 to 8 in 1991.

**TABLE 19**

**Cases of Child Sexual Abuse Received by the Rape Crisis Centres 1991-1997**

|      |    |
|------|----|
| 1991 | 8  |
| 1992 | 14 |
| 1993 | 44 |
| 1994 | 23 |
| 1995 | 21 |
| 1996 | 14 |
| 1997 | 17 |

**Source: Rape Crisis Society Statistics, 1991-1997.**

### **1.3. Incest**

Although an increasing number of incest cases have been coming before the courts in recent times, as with all other areas data collection is still inadequate. It has been suggested that incest has been an aspect of social and sexual life in some communities for generations but it was never a matter that was dealt with publicly through the judicial system. The de-legitimization of many forms of accepted sexual violence has raised new questions about this practice.

For example, meetings in Tobago brought to the fore the view that a high prevalence of incest exists in Tobago and it is also known that a high incidence also exists in certain parts of Trinidad. Yet the crime statistics produced by the CSO do not reflect this incidence. Incest involving minors, according to the introduction to the CSO Report on Crime Statistics, is considered to be a minor crime in that it attracts a penalty of under five years imprisonment. In none of the tables on minor crimes was incest identified although a large residual category of "other" was listed into which it was probably incorporated. No official published data on incest therefore exists.

For the Rape Crisis Society, incest is described as sexual relations between blood relatives and step-parents. This may be a somewhat limited definition as step-relations may also be included in this category. Reports of incest to the Rape Crisis Centres have consistently been in the two digit category since 1991. As shown in the table below. This clearly is an issue requiring substantial anthropological as well as demographic investigation and analysis as it appears to be a high incidence occurrence in this society.

**TABLE 20**  
**Cases of Incest received by the Rape Crisis Centres - 1991-1997**

|      |    |
|------|----|
| 1991 | 22 |
| 1992 | 42 |
| 1993 | 40 |
| 1994 | 40 |
| 1995 | 61 |
| 1996 | 45 |
| 1997 | 55 |

Source: Rape Crisis Society Statistics, 1991-1997.

**1.4. Domestic Violence**

Domestic Violence was designated a criminal offence by the Domestic Violence Act 1991. This was the result of much lobbying and activism on the part of the local women's movement. As noted earlier, data on the prevalence of Domestic violence can come from a number of sources although as noted earlier, there is yet no centralised registry. Reports of domestic violence to police stations are one indicator while the actual numbers charged for criminal offences are another. Within the context of domestic violence, data available from the Trinidad and Tobago Police Service details the range of criminal offences which take place 'as a result of' Domestic Violence.

These data raise a number of issues, for example, the inconsistencies from year to year, the extremely low number of offences recorded in Tobago in spite of interview

data on the prevalence e.g. of incest on that island. Over the period, 1993 to 1996, the following was recorded:

**TABLE 21**  
**Offences Committed as a Result of Domestic Violence - Tobago 1993-1995**

| <b>Offences</b>                | <b>1993</b> | <b>1994</b> | <b>1995</b> | <b>1996</b> |
|--------------------------------|-------------|-------------|-------------|-------------|
| Assault and Battery            | 0           | 13          | 7           | 3           |
| Incest                         | 1           | 1           | 0           | 0           |
| Rape and other Sexual Offences | 14          | 2           | n.g.        | n.g.        |
| Wounding                       | 0           | 0           | 1           | 1           |

Source: Juvenile Bureau, Trinidad and Tobago Police Service

A number of things become clear from the above, first the problems of consistent data collection. The data suggest a decline in domestic violence crimes but it is difficult to accept these data at face value. For each year different data are available, also data for Tobago appears to be particularly problematic. The most important offences or the ones which appear to be most consistently collected are - Assault and Battery. Rape and Sexual Offences although also quite prevalent are not included in the 1995 and 1996 data possibly because they fall under other legislation in this case the Sexual Offences Bill.

The above data were not included in the official crime statistics published by the Central Statistical Office probably because of these inconsistencies. In addition to these offences as noted under Table 13, a number of murders take place as a result of domestic violence. Preliminary data from the Community Policing Unit is as follows:

Applications to the Magistrates Court for Restriction Orders are another mechanism for gauging the incidence of domestic violence. Between 1991 and 1994, 8,297 applications were filed under the Act (Creque, 1994 :22). Published CSO Crime

Statistics note that in 1996, there were 378 applications under the Domestic Violence Act. Eighteen percent or 67 were made by males and 311 or 82% from females.

*Analysis of Data Collected Through the Domestic Violence Hotline - 1998.*

During the year 1998, a total of 2,611 calls were received by the Domestic Violence Hotline (800-SAVE) of the Domestic Violence Unit of the Ministry of Gender Affairs. Of these calls, 84% were from women and 16% men. For each month of the year according to the report, female callers outnumbered male and the modal age-group of callers was 26-35 years. The majority (70%) were in unions - legal or common-law (free), but 17% described themselves as single, 3% as divorced and 10% separated.

**TABLE 22**  
**Clients Accessing the Hotline by Age and Sex - 1998**

|          |     |
|----------|-----|
| Under 10 | 1%  |
| 10-18    | 5%  |
| 19-25    | 22% |
| 26-35    | 36% |
| 36-45    | 22% |
| 46-55    | 6%  |
| 55+      | 3%  |

**Source: Highlights of the Findings of Data Collected from the Domestic Violence Hotline for the Year 1998, Presented at the Policy Round Table on Data Collection on Domestic Violence, Domestic Violence Unit, 26, February, 1999.**

The Domestic Violence Hotline identifies three broad categories of violence<sup>4</sup>: Physical Abuse, Sexual Abuse and Emotional Abuse. Physical Abuse is defined as - behaviour that includes pushing, shoving, hitting, beating, torture and murder. Sexual abuse, is defined as any form of non-consensual sexual activity, including unwanted sexual

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<sup>4</sup>Adapted from the Manual for Community Educators, 1997 by the Domestic Violence Unit.

touching, rape and incest. Emotional abuse is defined as the use of various tactics to undermine a person's self-confidence such as insults, jeers, abusive language; the use of threats of physical violence or isolation, the deliberate withholding of emotional support, continual infidelity and the control of social relationships.

**TABLE 23**  
**Types of Abuse Reported to the Domestic Violence Hotline - 1996**

|                 |     |
|-----------------|-----|
| Emotional Abuse | 53% |
| Physical Abuse  | 47% |
| Sexual Abuse    | 6%  |

Not surprisingly the largest proportion of calls came from County St. George, the county with the capital city and a significant section of the highly populated east-west corridor, followed by County Caroni - 20%, Victoria - 18% and St. Patrick 7%. The majority of calls from male clients stated emotional abuse as their complaint.

These data of course only represent the situation among those who actually called the DVU Hotline. They provide an indication of what would be possible if a national system of data collection using relevant indicators were in place.

## CHAPTER II

### NATIONAL, SECTOR AND INSTITUTIONAL POLICIES/PLANS

The State agencies concerned with providing services related to gender violence include:

1. The Domestic Violence Unit, Ministry of Culture and Gender Affairs
2. Community Policing Unit, Ministry of National Security
3. Central Guidance Unit, Ministry of Education
4. The Probation Services, Ministry of Social and Community Development
5. National Family Services, Ministry of Social and Community Development

As can be seen from the above, these units are located in different ministries and there is no common coordinating body which brings their work together. The recent effort to organise a centralised data collection system is the first step in this direction.

#### **2.1. Domestic Violence Unit, Ministry of Culture and Gender Affairs**

Since the enactment of domestic violence legislation in 1991 the government of Trinidad and Tobago has attempted to establish policies and programmes through which victims and their families would have easy access to the necessary services. With the setting up of the Domestic Violence Unit within Gender Affairs Division of the Ministry of Culture and Gender Affairs several positive initiatives have taken place. The activities of the Domestic Violence Unit are governed by Cabinet Minute No. 2395 of September 1996. This document identifies the short, medium and long-term strategies that guide the projects and programmes of the Unit. Accordingly the State through the Domestic Violence Unit has instituted a National Domestic Violence Hotline, drop-in centres, and extensive outreach and in-house services. The objective is to focus on prevention strategies using alternative forms of intervention.

The services include:

- Safe and confidential listening (24 hour hotline and face-to-face)
- Crisis intervention counselling
- Training
- Public Awareness programmes through outreach, seminars, information booklets

- and brochures and electronic media
- Drop-in Centres
- Male/female support groups
- Conflict resolution programmes
- Referrals to relevant agencies

The Domestic Violence Unit receives no special budget allocation. Salaries, stipends, and stationery are obtained through the general subvention to the Ministry of Culture and Gender Affairs. External funding is sought for some programmes for example, the Canadian Fund for Gender Equity (CIDA-GEF) provided computers, material for brochures and posters and community workshops, while UNIFEM has funded workshops across the country.

The Domestic Violence Unit collaborates with NGOs such as the Rape Crisis Society, Coalition against Domestic Violence, SERVOL, Families in Action and various shelters. Liaison also takes place with some departments in the Ministry of Social and Community Development, Police Service/Community Policing Unit and the Legal Aid and Advisory Authority. However, much more coordinated effort in this area is required.

Despite its limited funding, the Domestic Violence Unit is able to lobby successfully for support for its services. The spirit of teamwork, commitment and competence that exists in the Unit sustains its efforts, and the positive rapport maintained with other State and NGO organisations has created strong links. There is also strong community support for the programmes due to the success of outreach and community service in drop-in centres. These drop-in centres, located in community centres are now under threat due to the unavailability of funds.

There are several drawbacks to the effective delivery of services including the lack of confidentiality afforded to the client during visits to the Unit because of the lack of adequate facilities. It is necessary that the human resources of the Unit be increased- a project officer to monitor and evaluate specific ongoing projects and a coordinator to either perform administrative duties or coordinate the extensive outreach services across the entire country.

The Domestic Violence Unit would like to be involved in more research in order to discover the 'root causes' of domestic violence through the examination of the micro-issues and /or underlying mechanisms that lead to the problem. However, the sustainability of the Domestic Violence Unit is threatened by proposals to shift its activities to the Ministry of Social and Community Development. The denial of a separate budgetary allocation by the State also negates the long- term sustainability of the Unit and its programmes.

The Unit and its location in the Gender Affairs Division best serve victims of domestic violence. Domestic Violence is a result of problematic gender relations and not simply another 'social problem'. Despite its recent beginnings, the Domestic Violence Unit is experienced in its interactions with the agencies and clients with whom they interact. Unfortunately, at the time of preparation of this report, the State had closed all twenty-two drop-in centres, although the public frequently used them. The Domestic Violence Unit and its services are successful, but the long-term development and sustainability of its policies and programmes are quite dependent on the will and commitment of the State to support them.

## **2.2. Community Policing Unit**

The Community Policing Section and its activities are legitimised in the Police Regulations Chapter 15:01, Section II, Part II, the Twelve Point National Action Plan Against Crime, the O'Dowd Report on Reform of the Trinidad and Tobago Police Service 1991, Chapter 8, as well as Departmental Orders. Community Policing in the local context is described as a philosophy and a strategy that prescribes that "the police and the community working together (sic) to help solve mutually defined problems through a deliberate effort aimed at reducing crime, violence, fear, insecurity and community decay". The preceding is achieved by creating and maintaining strong relations with individuals and communities who could then bring their problems to a more 'user-friendly' police unit.

The Community Policing Section is the central coordinating agency for all the Community Policing Divisions and their functions in the Police Service. Services are available to the public at every police station in Trinidad and Tobago. Specific reports made to the crime desk at the police station are referred to the Community Policing Unit for the attention of the relevant personnel. The Community Police will then take the necessary actions that may include visiting the situation, referring the client to the relevant social service agency, or seeking legal recourse on behalf of the client. Consequently, the vulnerable in the society receive equal consideration, accordingly, assistance is provided to the destitute, the hungry, street children, victims of broken homes, and victims of domestic violence.

Prior to the establishment of the Community Policing Unit, offences between spouses were legally classified as assault and battery. The Community Police unlike the mainstream police service take a more social point-of-view to domestic violence seeking mediation rather than legal action between dissenting spouses. The majority of

the reports of domestic violence to the Community Policing Unit are settled with a warning to the perpetrator, often at the request of the victim.

The collection and recording of data during interviews is dependent on the willingness of the victim. Furthermore the data form formerly used to record reports does not satisfy the criteria needed for general data collection, e.g. Incest and rape are classified as criminal acts and receive more serious penalties than domestic violence. It has been difficult for the community police to classify crimes as defined by the Domestic Violence Act. The importance of linking the first 'minor' report of domestic violence as a probable cause to the possible serious or fatal crime is dependent on an efficient system of data collection.

The Community Policing Section conducts regular evaluations of the performance of the Community Policing Units at each division. Accordingly, a new data entry form has been designed to include all the relevant variables. At the police stations, an officer may take a report from a client who is victim of domestic violence, etc.; the client is referred to an officer in the Community Policing Unit who then provides the necessary assistance. Each unit submits daily reports to the central agency, and any additional information is transferred by the telephone and placed in written record. The unit also maintains monthly returns and individual files. The recording system is mainly manual, but steps are being taken to computerise the intake system of the Community Police Unit.

The Community Police collaborate with a large group of State agencies, NGOs, and the University. These include the Ministry of Social and Community Development, Ministry of Sports and Youth Affairs, Ministry of Local Government, Ministry of Education, Ministry of Culture and Gender Affairs. The shelters for battered women, drug/rehabilitation centres, children's homes, Rape Crisis Society, Society for St. Vincent de Paul, Families in Action, SERVOL, University of the West Indies, and several private sector organisations.

The officers are able to provide outreach services, meeting and consulting regularly with groups, community organisations, youth clubs, schools, and post primary centres. Because of the commitment of the officers to assisting people in need despite tremendous odds, there has been a change in the public perception of the police service since it has become more accessible.

Unfortunately, the lack of funding for programmes denies the opportunity for service development. The problems include:

- The inability to provide specialised training for officers.

- Transportation problems within the police service impact even more severely on the Community Policing Units when they are unable to respond immediately to situations of domestic violence.
- The physical arrangement of rooms in police stations limits the confidentiality for clients reporting on physical, and sexual abuse.
- The limited collaboration and understanding between Social Workers and Community
- Police, since social workers tend to abdicate their responsibilities to the police.
- The incongruity of the laws limits the work of the Community Police in its collaboration with other State agencies.
- Since the close of the Drop-in Centres, the Community Police are unable to provide immediate sanctuary and counselling to its clients.

The Community Police Unit wants to be perceived as "the smile" of the Police Service, being very approachable and accessible to the general public. Given its exposure to the problems of gender violence in the society, the Community Policing Section identifies the need for greater emphasis on the main perpetrators of gender violence, the men. The increased prevalence of the problem is attributed to the "change of the socialising paradigm regarding male/female roles in the society wrong messages being relayed to the society . Resulting in psychological abuse of males by their spouses". (Interview, Community Police Officers).

In cases where women lie about spousal abuse, to the extent of acquiring a medical report, she is able to obtain an Order of Protection from the court without the alleged perpetrator being called to respond to the veracity of the complaint, and is removed from the home. In these situations the police are unable to provide any recourse for men, since the quality of support services is closely related to the individual's financial resources.

Increased funding would give the organisation the opportunity to develop more services- shelters, intense counselling- that can lead to the creation of support groups for men. Conversely, the law has no provision to really protect women that have obtained an Order of Protection against an abuser, and in situations where a subsequent violent or fatal act is perpetrated by the abuser, the police become the scapegoat.

Recently, Community Policing Regional Councils were set up to perform the following:

- to act as an advisory body to the various regional divisions of the Trinidad and Tobago Police Service in their relationship with the communities they serve;
- to assist the Trinidad and Tobago Police Service in devising strategies to arrest the spate of crime and lawlessness in the community;
- to assist the Trinidad and Tobago Police Service in organising programmes of activities to enrich the quality of life for all citizens within the community;
- to serve as a vital medium through which the role and responsibilities of the Trinidad and Tobago Police Service may be discharged in harmony with the special peculiarities and characteristics of the community that it serves.

These councils consist of stakeholders from various segments of the respective communities, and the Officer in Charge of the Community Policing Division chairs the meetings. The members seek to develop ideas to deal with issues that affect the community, through brainstorming, etc.

The Community Policing Division is providing an essential service that is out of the usual purview of the mainstream police duties. Recently, its membership was included within the inaugural school board system in the Ministry of Education. Despite these positive outcomes, there is fear that the legal system no longer regards police stations as places of safety, notwithstanding the inclusion of special cells (or "suites") for female offenders that have been constructed in almost all of the nation's police stations. The State has also failed to solicit the input of the police in its multidisciplinary consultations and revisions of all legislation that affect children. Given the basis for the establishment of Community Policing, it is important that the State seeks to sustain and stimulate the activities of the relevant personnel in the face of increasing violent crimes against women and children in the country, including those by members of the protective services.

### **2.3. Central Guidance Unit, Ministry of Education**

The Central Guidance Unit provides educational guidance, vocational guidance and counselling to students within the State's education system. These services are broadly defined as a developmental and encompassing facility in the process of education. The positions in the Unit include the Guidance Supervisor, four Guidance Officer II, and thirty Guidance Officer I. There is an allocation for fifty-seven Guidance Officers I, yet there are only 31 active posts for all schools in the nation's 15 educational districts.

There are two main offices in Port of Spain and San Fernando manned by four supervisors including the Chief Guidance Officer.

While there is no official policy or programme to deal with gender violence in schools, the guidance officers seek to:

- help students identify and make positive use of personal abilities;
- help students make realistic choices and meaningful decisions;
- help students positively face and resolve personal problems that they may face in and out of school. Of particular interest is the need for students to develop skills that positively facilitate change in the workplace and society in general.

The conduct of the aforementioned services is guided by the principles of formal guidance that include: Counselling, Consultation, Appraisal, Casework, Information Dissemination, In-Service Training, Data Collection, Orientation, Referral and Research and Evaluation.

The issue of confidentiality is such that personal information shared by a student remains confidential unless it concerns issues of suicide, criminal acts, and suspensions and/or expulsions from the school.

The Central Guidance Unit has a well-articulated programme and experienced and trained personnel. However, the limited number of staff and the lack of adequate multi-media personnel negate the efforts of the Unit. The service limitations have resulted in extensive collaboration with shelters, children's homes, the police, the legal system, and hospitals.

The Central Guidance Unit envisions a strong guidance and counselling service in all schools that ultimately prepare the student for the work place. It proposes a leading role for the unit in education programme that involves strong parent participation, increased service in the primary schools- counselling and preparing children for dealing with social issues within context.

The Unit has proposed the establishment of ***Regional Diagnostic and Prescriptive Centres for Student Support Services***. According to the proposal document these centres would respond to the growing problems of anomie, illiteracy, teenage pregnancy, juvenile delinquency, and violence in the schools. The services would include " the provision of programmes which address the foregoing concerns and incorporate the expertise of support workers who, in some cases may be deployed

among or between schools within a specific Educational Division". These personnel may include school counsellors, guidance educators, school nurses, speech therapists, school social workers, special education teachers, an educational psychologist, and liaison with medical and psychiatric consultants as required.

Despite the criticisms that have been levelled at Guidance Officers, it is important to note that they are overworked and under-compensated. The work of the Central Guidance Unit has been stymied by the State's inability to attract more personnel to fill the vacant positions because of the relatively low remuneration. The staff increase recommended since 1978 is inadequate for dealing with the present social conditions in the schools. The establishment of the Diagnostic Prescriptive Centres would negate the need for increased staff especially since it advocates a multidisciplinary approach. The Guidance Unit is aware of its limitations and its problems and while it has proposed a positive course of action, its implementation is based on State support.

## **2.4. Probation Department**

### **{TC \15 "4.4 Probation Department}**

The Probation Department is divided into three geographical regions serving thirteen magisterial districts and three High courts, including Tobago. The department and its officers are mandated to promote the rehabilitation of clients through counselling and education, and to promote a healthy lifestyle through proactive intervention. The official system of data collection on domestic violence began with the enactment of the legislation in 1991.

Under the Act, the Probation Department is one of two agencies identified for intervention in such cases. Prior to this, the data was included under matrimonial proceedings, and was considered a criminal offence with criminal charges being laid against the perpetrator. Clients are referred to the department by the court and other agencies such as the Community Policing Unit, 800-SAVE, Justices of the Peace, and walk-ins. The Judiciary and the Tobago House of Assembly are in charge of the Probation Services in Tobago. The activities of Probation Officers are guided by the Offences against Persons Act, Children's Act, Sexual Offences Act, Probationer's Act, Domestic Violence Act, and the Family Law Act.

The services of the Probation Department include:

1. Male /female support groups
2. Support programmes for teenagers who are victims of sexual abuse and neglect.
3. Office interviews of walk-in clients, Legal Aid applicants, and others referred by the court system.
4. Family Remedial Therapy Meetings

5. Micro Projects and Training Grants for probationers, parents, and victims of domestic violence.
6. Social Enquiries and Reports for Ministries
7. Home visits to probationers
8. Probation Department/Child Psychiatry Consultant Project
9. Child Abuse counselling
10. Intervention in Matrimonials referred by the Court.
11. Counselling in Matrimonial matters by walk-ins and referrals other than those by the Court.
12. Intervention services for children manifesting behavioural problems.

During the confidential interview with the client, the probation officers use Registration Forms for each specific case that gives demographic information as well as descriptions of the issues and incidences of domestic violence. The officers also maintain a domestic violence register in which official requests by the Court for Probation Officers' Reports are recorded. This register contains basic data on the complainant and respondent involved in the court proceeding.

The officers collate their domestic violence cases from the register, and send them to the regional office for submission and inclusion in the Monthly Return. A Quarterly Return & Monthly Workload of Probation Officers and the Annual Statistical Report are prepared and sent through the regional offices to the head office. Special registers are created in specific regions where there is a high incidence of abuse. Records are also kept on the young offenders that are before the court, legal aid cases, probationers before the court, and Probation Officers' Reports.

The small size of department and the more traditional lifestyle of the society facilitate collaboration and problem-solving among the relevant departments since there is less territorialism among the social services departments. The problems of segmentation in Trinidad are not as relevant in Tobago. Despite its small size there are some areas in Tobago that are quite inaccessible, and in both territories the overall quality of service is a matter for conjecture since it is almost impossible for the department to serve all the clients effectively and efficiently.

Because of the degree of opportunity afforded to Probation Officers in the field, there is opportunity for the use of innovation and creativity in the delivery of services. This removes the routine and monotony of the court work and encourages mediation rather than litigation between parties. While there is no official follow-up procedure for clients, the Probation Officers maintain informal links with the probationers and their families.

There is need to increase the human resource component of the Probation Department. As with their contemporaries in other social service departments, the efforts of the

workers are often given short thrift by the State and the general public. The volume of work and the large geographical areas that they are required to serve on a daily basis strains Probation Officers. The offices are usually located at close proximity to the courthouse, and therefore limit the opportunity for more positive and proactive outreach services.

In Tobago, the networking procedure has been successful since most of the legal and social services are situated in and around one another. The society and the culture allow for a degree of knowledge and familiarity among the stakeholders. Accordingly, there is a greater spirit of collaboration that is not as apparent in Trinidad.

The Department has noted a very high percentage of child abuse over the past few years. Monthly consultations were held between the Officers and a professional child psychiatrist to deal with some of the more complex cases. The workload of the Officers was also increased by the number of applications that were made for children 'Beyond Control'. This indicates a need for extensive parent education.

## **2.5. National Family Services, Ministry of Social Community Development{TC \12 "National Family Services, Ministry of Social Community Development}**

The National Family Services are responsible for children's institutions, and deal with all matters of child abuse and sexual abuse, as well as coordinating the existing social services at the community level. The National Family Services also provides support groups for men, and for women. The services are decentralised with caseworkers operating across the country.

The female clients are usually walk-ins or referrals from other agencies, and victims of domestic violence. The male support group was established in response to the Court's search for alternatives to the legal process in dealing with domestic violence cases through group and individual counselling. There are also programmes for children who are victims of physical and sexual abuse and neglect.

These programmes are conducted within the different regions and communities. They include an important component of training for trainers and caregivers in children's institutions on matters of sexuality, dealing with the abused child, adolescents, self-examination, and the grieving process. There are also lectures on parenting for primary schools on the request of the school principals. These lectures prepare students for the transition to secondary schools and discuss their expectations. The shortage of guidance counsellors in schools has also increased the job descriptions of the caseworkers.

## **2.6. Other State Agencies**

There is no State policy or protocol concerning gender violence in other agencies or Ministries. The Ministry of Health does not maintain or special records or services to victims of gender violence, unless it relates to future police investigations and court proceedings. A few health centres across the country have been designated for use by the State medical officer to perform medical examinations on victims of rape and other sexual abuse. District Medical Officers of Health are often involved in the early forensic or medical examination of victims of various gender violence offences such as murder, rape, incest or buggery. Additionally the language of the medical report is that of the legal system and used in consideration of evidence that may be produced by the doctor for use in a police investigation or court proceeding. Yet there is no structured relation of health professionals to the issue of gender violence.

Similarly, there is no State policy or protocol for the Ministry of Education, even though the Central Guidance Unit is aware of the need for such policy. However, the increased prevalence of violent behaviour in schools has led the Ministry to establish a School Board system to examine and control at community level the social conditions of schools. Each School Board will consist of a multi-disciplinary team of state, religious, NGO and community stakeholders. The project is now in its inception phase with only two schools in the system so far.

There is no information on to the services available for the victims of gender violence in the ministries responsible for housing, tourism, local government, labour, planning and development, and finance. The information on Tobago has been limited to the Probation Services Department and Community Development Department of the Tobago House of Assembly. This situation may well reflect the lack of realistic State interest and support for programme initiatives and services.

## CHAPTER III

### LEGAL FRAMEWORK AND JUSTICE ADMINISTRATION

#### 3.1. Legal Protection and Sanction Mechanisms Concerning Violence Against Women

##### 3.1.1. Domestic Violence

###### *Criminal Proceedings*

Prior to 1991 there were, in the main, two options available to women who had been abused in the domestic setting by their partner. Firstly, the woman if she was the victim of a physical act of violence or a threat of actual physical violence could file a criminal complaint thereby initiating or causing the initiation of criminal proceedings against her partner. Under the criminal law, assault, battery, wounding and other violent offences against the person are prohibited regardless of the relationship between the perpetrator and victim. Battered women are entitled to lay a criminal complaint that would expose the perpetrator to the penalties of fine and/or imprisonment, the extent of which varies from offence to offence.

Within the context of a criminal trial, the battered woman would have to prove her allegations beyond reasonable doubt, such a burden requiring often times, corroborative evidence to ground a finding of guilt. Should the Court find the accused guilty, he would be liable to a fine or a term of imprisonment depending on the charge. The Summary Offences Act Chapter 11:02 criminalises common assault and battery and any person found guilty of such a charge is liable to a fine of \$400.00 or to imprisonment for a term of three months. Where the assault is committed upon any female and the Magistrate is of the view that the assault is of an aggravated nature the penalty may be greater and such person is liable to imprisonment for up to six months.

Under the Offences against the Person Act there are a number of offences which are applicable to domestic violence. These offences attract more severe terms of imprisonment and include:

- Shooting or wounding with intent to do grievous bodily harm
- Inflicting injury with or without a weapon
- Attempting to choke

- Administering poison so as to endanger life
- Assault occasioning bodily harm.

The option of pursuing a criminal prosecution is still available to a battered woman. There are however a number of limitations which attach to using the criminal jurisdiction of the Court in domestic violence matters. Organisations which provide services to battered women, speak of the reluctance which women have in prosecuting their partners, the fathers of their children, especially when such prosecution may result in imprisonment. Apart from this reluctance rooted in the emotional attachment which battered women have with their abusive partners, the fact is that criminal prosecutions take very long periods to be completed. Most prosecutions depend on diligent police involvement, both in investigation and charging but also in the actual prosecution of matters in Court. Whilst the matter winds its way through the Court system, the accused is generally out on bail since one of the above offences result in a denial of bail to the accused. Many women are therefore understandably loathe the retaliatory anger of the perpetrator since police are unable to provide the required level of protection for the period whilst the charge is pending or indeed after the prosecution has been completed whether successfully or not.

Apart from criminal proceedings, prior to 1991 and still now, the other option which was available to battered women was to seek injunctive and protective relief in the High Court and/or monetary compensation on the basis that a civil wrong of assault and battery has been committed. The major practical obstacle to access to this remedy however, is the cost of legal services associated with a civil action which will in effect prohibit the majority of poor and unemployed women from seeking redress.

Other than these tort-related injunctions, on the presentation of petitions for divorce, an abused woman is also entitled to seek a matrimonial injunction by way of a non-molestation or exclusion orders. Divorce is legally available on the ground of irretrievable breakdown, which is evidenced, inter alia, by the assertion of one of the parties to the marriage that the other party has behaved unreasonably. Physical and mental cruelty would therefore be evidence of the irretrievable breakdown of a marriage. On the presentation of a petition, where the circumstances warrant it, the Court can grant exclusion orders where the health and safety of the woman and/or children is in jeopardy.

Where there is evidence of physical violence the Court will grant an injunction against molestation on the basis that the protection of the abused person is the paramount consideration. In exercising the discretion to exclude a husband from the matrimonial home, the Court must be satisfied (and it must be proved) that it is necessary for the protection of the health, physical or mental of the wife or of a child and the Court must

balance the hardship likely to be caused by the making of the order against the hardship likely to be caused by refusing it.

In the English case of Basset v Basset, Ormrod, L. J. said “ so far as the so-called principle’ is concerned, the element of protection of a spouse has always played an important part in the decisions of this court in this class of case. In my judgement, ‘protection’ must not be interpreted too narrowly<sup>14</sup>.it hasnever been limited to protection in a physical sense, that is from violence or apprehension of violence”. This approach applies equally in the Trinidadian jurisdiction.

Injunctive relief of this nature may be obtained ex parte in a case of emergency. In the case of an ex parte injunction this is granted before the abusive person is informed of the court proceedings and the injunction if granted becomes effective as soon as it is served.

The difficulties associated with these civil remedies are the costs of civil litigation in the High Court; and the inaccessibility of these reliefs due to the fact that these proceedings may only be brought in the High Court which sits only in Port of Spain, San Fernando and Tobago and not in magistrates Courts which are located in a number of urban and rural districts in Trinidad and Tobago.

It was with these difficulties in mind that the Domestic Violence Act was drafted. The act came into force in August 1991.

### ***Legislation***

In drafting the legal scheme to confront domestic violence and in the continuing evaluation of this scheme, the appropriateness of the criminal justice system to the management of domestic violence continues to be a concern. To the extent that the domestic violence legislation emphasises protection and not punishment, (save in the event that a protection order is breached) the legislature has so far resolved that the penal system is not the appropriate forum for eradicating violence against women.

The domestic violence legislation places priority in the first instance on stopping a threatened or actual abuse by extending a range of protection orders to the victim and only deals with criminal sanctions upon the breach of a protection order at which time the offender would be in contempt of court. This legislation establishing protection orders is in addition to pre-existing criminal or divorce and tort-related remedies. Under

the present legal scheme, a woman is still entitled to file criminal complaints and this she may do simultaneously while seeking a protection order.

The Domestic Violence Act of Trinidad and Tobago provides that spouses and children of spouses may apply to the Magistrates court for summary relief. Spouse is defined as including common law spouse and former spouse including former common law spouses. Apart from spouses, an application for a protection order may be made by a child or dependant of the abuser or a parent. Dependant is defined by the Act as being someone who is over 18 and who by reason of physical or mental disability is reliant on the respondent or abuser.

Where the conduct complained of involves a child or dependant, an application for a protection order may be made by a parent or guardian; the dependant if not mentally disabled; an experienced or qualified public officer in the field of social welfare; a police officer, a probation officer or a medical social worker.

The Act does not specify expressly in what circumstances a person may apply for a protection order and this can only be inferred from section 4 which specifies the circumstances in which the Court may grant a protection order. having regard to section 4 it can be posited that a an application for a protection order may be made where:

- a) the respondent has engaged in conduct that constitutes a domestic violence offence and it is likely that unless otherwise restrained such act would be repeated;
- b) the respondent has threatened to engage in conduct that would constitute a domestic violence offence and that unless restrained the respondent is likely to engage in conduct which would constitute a domestic violence offence; and
- c) the Respondent has engaged in conduct of an offensive or harassing nature to the extent that the abused person is fearful of injury, physical or mental.

Domestic violence offences are specified in the Act to include the following offences:

- murder or attempted murder;
- manslaughter or attempted manslaughter

Certain offences under the Offences Against the Person Act:

- Conspiring or soliciting to commit murder, Sec.5
- Attempted murder, Sec.9

- Sending letters threatening to murder, Sec.1 0
- Shooting or wounding with intent to do grievous bodily harm, Sec.12
- Inflicting injury with or without weapon, Sec.1 4
- Attempting to choke etc., in order to commit any indictable offence, Sec.15
- Using drugs etc., with intent to commit offence, Sec.1 6
- Administering poison etc., so as to endanger life or inflict grievous bodily harm, Sec.17
- Administering poison etc., with intent to injure or annoy, Sec.1 8
- Exposing children so that life endangered, Sec.21
- Causing bodily injury by explosive substance, Sec.22
- Use of explosive substance or other noxious thing with intent to do grievous bodily harm, Sec.23
- Attempting to blow up buildings, Sec.24

#### Offences under the Sexual Offences Act:

- Rape, Sec.4
- Sexual assault by a husband in certain circumstances, Sec.5
- Sexual intercourse with a female under fourteen,, Sec.6
- Sexual intercourse with a female between fourteen and sixteen, Sec.7
- Sexual intercourse with a male under sixteen, Sec.8 Incest, Sec.9
- Sexual intercourse with adopted minor, Sec.1 0
- Sexual intercourse with mentally subnormal person, Sec.1 2
- Buggery, Sec. 13
- Serious indecency, Sec. 16
- Procuration, Sec. 17
- Procuring defilement of a person, Sec. 18
- Detention of a person, Sec. 19
- Abduction of a females Sec. 20 or an Attempt to commit any such offence.

#### Offences under the Children Act Chap. 46:01

- Punishment for cruelty to children and young persons, Sec. 3
- Suffocation of infants, Sec. 4
- Begging, Sec. 5
- Exposing children to risk of burning, Sect. 6
- Allowing children or young persons to be in brothels, Sec. 7

Causing encouraging or favouring seduction or prostitution of young girls, Sec. 8 or an attempt to commit any such offence.

Instances of conduct of an offensive and harassing nature sufficient to ground an application for a protection order are not spelt out exhaustively in the Act, but includes:

- "the persistent intimidation of a person by the use of abusive and threatening language;
- the damaging of the property of a person;
- the persistent following of a person from place to place;
- depriving a person of the use of his personal property;
- the watching and besetting of the house or other place where a person resides, works, carries on business or happens to be;
- the wilful neglect of a child or dependent person; making persistent unwelcome telephone calls to a person".

Should a woman's application for a protection order be based on offensive and harassing behaviour, it is necessary that such behaviour pose a threat to either her physical or mental safety.

The Court must be satisfied on the civil standard of proof, that is on a balance of probabilities, that the abuse alleged has taken place. Where the Court is satisfied by the proof adduced, a wide range of orders are available to the court, including non-molestation and exclusion orders or occupation orders and tenancy orders.

A protection order may, amongst other prohibitions:

- Prohibit the respondent from being on premises or in a locality in which the person resides, works, or frequents;
- Prohibit the respondent from engaging in conduct of an offensive or harassing nature;
- Prohibit the taking of property;
- Prohibit the respondent from speaking or sending messages;
- Prohibit the respondent from taking possession of specified personal property being property that is reasonably used by the applicant; and
- Exclude of the offender from the family home.

The power to grant exclusion orders exists notwithstanding the respective parties legal or equitable interests in the property. This type of provision has far reaching consequences since notwithstanding that the property may belong to the abuser, he can be removed from the family home for up to a period of 12 months.

The courts have always had an inherent jurisdiction to deprive persons of the use and enjoyment of their property in, for example injunction cases pending the hearing and determination of a wider action. The exclusion order contemplated under the acts do not vary property rights but merely suspend occupation rights for no more than a twelve month period.

On a more fundamental level, the Act provides for a balancing of competing claims, on one hand security of the person and on the other enjoyment of property. In deciding whether or not to grant a protection order, the Act lays down the statutory considerations to be taken into account by the Court. These considerations include:

- The need to ensure that the person who seeks protection is protected from violence or harassment;
- The welfare of a child of the spouse or of the respondent;
- The accommodation needs of the applicant;
- The income, assets and financial obligations of the respondent and of the spouse of the respondent, a parent or dependent person;
- Any hardship that may be caused to the respondent or to any other person as a result of the making of the order;

The Act also stipulates clearly that in determining whether to impose the prohibitions contemplated by the Act, the Court shall consider the need to protect the applicant and the welfare of the child of the applicant or respondent as being of primary importance. Because the applications for protection orders are made in the Magistrates Court, there has been no development of jurisprudence with regard to the weight to be given to the considerations set out in the various acts. However in applications for similar injunctive relief at the High Court, the courts have taken the approach that the paramount consideration must be the protection of the abused person.

The Act provides important procedural provisions which theoretically make access to the Court swift and effective. These provisions include:

- 1) mandatory hearing not more than seven days after the date on which the application is filed;

- 2) the power to grant interim protection orders before the respondent is heard where the Court is satisfied that this is necessary for the health and safety of the party;
- 3) provisions for personal service which serves to speed up the service on the respondent thereby ensuring early hearings;
- 4) in camera proceedings;
- 5) anonymity of the parties to the proceedings.

Where the application for a protection order is served on a respondent and that respondent fails to appear in Court, the Act provides the Court with the discretion to proceed to hear the matter in the respondent's absence.

In order for an order of the Court to have effect, the Court must prior to making the order, if the Respondent is in Court explain to the Respondent:

- 1) the purpose, terms and effect of the proposed order;
- 2) the consequences that may follow if the respondent fails to comply with the terms of the proposed order; and
- 3) the means by which the proposed order may be varied or revoked.

If the order was made in the absence of the Respondent then the order must be served personally on the Respondent before it becomes operative.

### ***Breach of a Protection Order***

Where a protection order is made and the respondent contravenes the order, he is liable, upon a finding of guilt of such breach, to imprisonment for a period not exceeding six months or to a fine not exceeding \$5,000.00 or both.

If a charge is brought that the Respondent has breached a protection order, the Court may grant bail pending the hearing and determination of such a charge. However in exercising its discretion the Court must take into account the need to ensure that the abused person is protected from violence or harassment. Other factors to be taken into account include the welfare of any child in the custody of the respondent and any hardships that may be caused.

### ***Police Powers under the Act***

Police are specifically empowered to make an application on behalf of a victim of domestic violence, be it the spouse, a child or other dependant person. Where the application is made by a police officer, the Act provides that the person on whose behalf the application is made (if an adult) shall be made a party to the proceedings.

By these provisions the framers of the Act intended to extend the protective reliefs to persons who are or who feel for any number of reasons (age, disability, fear) unable to initiate action in their own defence. Very few applications are in fact made by police officers on behalf of abused persons.

Apart from these powers the Police are vitally important in effecting service on the Respondent not only of the application but of any consequential orders made by the Court. The Act provides that applications and orders may be served personally on respondents. Whilst service of court documents by a police officer is not mandatory, practically an abused person will be loathe to effect service in the absence of police protection.

The Act does not give the police powers of arrest without warrant upon receipt of a complaint of a domestic violence offence although other existing statutory provisions (under the Criminal law Act Ch. 10:04) give the summary power of arrest without warrant where a police officer believes on reasonable grounds that an arrestable offence has been, is being or is about to be committed. An arrestable offence is an offence which carries a sentence of imprisonment for at least a term of five years. Under the existing law therefore a "common assault" or other offence not meeting the definition of an arrestable offence would not attract the summary arrest powers of the police.

It is otherwise however where a protection order has been granted by the Magistrate. Police officers are given powers of arrest without a warrant where she/he believes on reasonable grounds that the respondent has committed or is committing a breach of the protection order.

Recent recommendations have focused on widening the police powers of arrest so as to give them the power to arrest where they reasonably believe that any domestic violence offence has been or is being committed.

Under section 21 of the Act, the magistrate is given the statutory authority to issue a warrant to a police officer which warrant would empower a police officer to enter premises where, on reasonable grounds, she/he suspects that a person has suffered or is in imminent danger of physical injury at the hands of another person and needs assistance to prevent or deal with the injury. Pursuant to such a warrant a police officer

may enter such premises and take any action necessary to prevent the commission or repetition of the offence or to protect life or property.

### ***Use of the Act***

Between 1991 when the Act was passed in Trinidad and Tobago and April 1994 some 8297 applications were filed for protection orders. Of this, 39% resulted in the issuance of protection orders.<sup>5</sup> The disparity between the number of applications and the number of orders issued cannot be explained definitively since no statistics are available. However, possible reasons for this disparity would include discontinuance of proceedings; the giving of an undertaking to the Court by the offender instead of the granting of a protection order by the Court and the dismissal of applications for want of prosecution or for insufficient evidence.

There has been no systematic empirical review of the implementation of the legislation. However anecdotal evidence suggests that the implementation of the Act is fettered by the over-burdened court system and the inability of the courts to deal with complaints in as speedy a manner contemplated by the framers of the legislation.

The process of obtaining a protection order continues to be difficult for many women. For one, the passage of a case through the legal system can be very slow. The speed with which a matter is heard and determined will depend of the speed with which the application is served on the abuser. Many women continue to rely on the police to serve these documents with delays resulting from resource deficiencies within the police service.

There is still no provision made for legal aid in applications under the Act although certain legislative reforms are presently before Parliament which would extend legal aid to person applying for protection orders under the Act. Other recurring problems in accessing the courts include:1) untrained court personnel who, for a number of reasons, can dissuade women from filing applications on the basis of a misunderstanding of the scope of the legislation; and 2) the inadequate framing of the complaint in a vague way.

With reference to an evaluation of the structure of the Act, an Ad Hoc Committee for the Reform of the Domestic Violence Act was constituted in1997 arising out of a cabinet Minute in respect of a “Comprehensive Programme for Addressing the Problem

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<sup>5</sup>Creque, M:op cit p.9

of Domestic Violence in Trinidad and Tobago". The Ad Hoc Committee comprised a number of persons drawn from the Bar, NGO and Ministries.

A section by section review of the act was undertaken and the recommendations of the Committee were compiled and presented to the public by way of an insert in one of the daily newspapers. The Committee's technical recommendations appear to have been informed by the following considerations:

- a) Domestic violence is inappropriate, controlling behaviour, generally criminal in nature, that results in physical, emotional, sexual, psychological damage, forced isolation, financial or economic deprivation or all of the above;
- b) The safety, well being and protection of any victim of domestic violence including any child affected, or likely to be affected, is of paramount concern; and
- c) The protection available under the Act must be as accessible as possible. To that end Court processes should be clear, simple, quick and economical.

The Ad Hoc Committee made a series of recommendations with regard to the substantive sections of the Act. Additionally a number of recommendations were made on the role of the Court.

The legislative attention to domestic violence has had a significant consequence, not only in giving individual women legal recourse and effective remedy but also in delegitimising acts of violence against women in the home. The legal system regulates behaviour and while it responds to changing cultural norms is also transformative of such norms. Violence against women is now political issue, outside of the silencing domain of the private sphere. Through advocacy, women's organisations have been able to link effectively violations of women in the home to systemic or structural inequality.

### **3.1.2. Sexual Offences**

The Sexual Offences Act makes provision for the offences of rape, indecent assault, defilement, procurement and abduction of females. In addition specific provisions are also made for the rape or carnal knowledge of female children, the extent of punishment being dependent on the age of the victim.

Under the Sexual Offences Act rape is defined as sexual intercourse with a female other than the accused's wife either a) without her consent where he knows that she does not consent to the intercourse or he is reckless as to whether she consents to it; or b) if the consent was extracted by threats of fear of bodily harm to her or another or by the impersonation of her husband; or where the consent is obtained by false and fraudulent representations as to the nature of the act.

Males under the age of 14 are deemed incapable of committing the offence of rape. The maximum penalty for someone convicted of rape is imprisonment for life.

From the definition of rape given above, it is clear that a husband is not generally legally capable of committing rape. In Trinidad and Tobago a husband will lose his immunity from prosecution if he falls into one of the categories specified in the Act. These categories are:

- 1) where there is a decree nisi of divorce;
- 2) where there is a decree of judicial separation or other separation order;
- 3) where there is a separation agreement; or
- 4) where there exists an order for the husband not to molest his wife or have sexual intercourse with her.
- 5) where the husband has notice of that a petition for divorce or separation or nullity of marriage has been filed or where the parties to the marriage are living apart in separate households.<sup>i</sup>

The Act provides that the age at which a woman can give consent is fourteen. Therefore a male person who has sexual intercourse with a female who is under fourteen is guilty of an offence whether or not the female person consented to the intercourse and whether or not at the time he believed her to be fourteen years of age or more.

The legislation also includes the offence of indecent assault defined as an assault accompanied by words or circumstances indicating an indecent intention. Provision is made for the offence of serious indecency. An act of serious indecency is an act other than sexual intercourse (whether natural or unnatural) by a person involving the use of the genital organ for the purpose of arousing or gratifying sexual desire.

Much of the debate around the difficulty which women experience in laying charges of rape revolves around the requirement of proving lack of consent. The issue of consent arises in the existence at common law of the requirement of the corroboration warning;

the requirement of fresh or recent complaints and in the admissibility of the complainant's sexual history.

Under the common law, the judge is required to warn the jury of the danger of convicting in the absence of corroborative evidence. This rule was not abolished in the Sexual Offences Act.

Under the common law, the victim's past sexual history was considered to be relevant in determining the question of consent. Evidence could therefore be admitted that the complainant had sexual relations with persons other than the accused, the assumption being that someone with a sexually active history was likely to have consented to intercourse, such evidence therefore going to prove that the complainant is unreliable and her evidence suspect. Under the Sexual Offences Act of Trinidad and Tobago, evidence of sexual relations of the complainant with persons other than the accused is inadmissible except if the Court thinks upon application by the accused, that such evidence is necessary for the fair trial of the accused.

The rule requiring the victim to provide evidence of "fresh" or recent complaint has been abolished in Trinidad and Tobago.

### ***Court Proceedings in relation to Sexual Offences***

Provision is made under the Sexual Offences Act for the anonymity of both the victim and the accused of sexual assault. This anonymity for the accused is lost under the if the accused is found guilty of the offence. In addition, the legislation makes provision for in camera hearings of sexual offences cases which provision has substantially reduced the hostility of the court room setting for victims of violence.

#### **3.1.3. Incest**

Under the law it is an offence for a man to have sexual intercourse with a woman whom he knows to be his grand-daughter, daughter, sister or mother. In addition it is also a criminal offence for an adult to have sexual intercourse with a minor when the minor is the adult's adopted child, stepchild, ward or dependent. Cases of incest are heard in closed court or in camera proceedings.

### **3.1.4. Sexual Harassment**

In Trinidad and Tobago there is no legislation which provides persons who are sexually harassed with legal remedies. That this is a serious gap in the law is no surprise to women who suffer disproportionately this insult to their integrity. The concept of sexual harassment as it has evolved in other countries is confined to employment relations. Sexual harassment legislation where it exists addresses unwanted and unwelcome sexual advances or conduct of a sexual nature which has the purpose or effect of unreasonably interfering with an employee's work performance, prospects of job benefits or creates an intimidating, and hostile working environment.

Outside of the employment relationship, if a woman is subjected to unwelcomed sexual advances which fall short of a threat of immediate violence or physical assault, there is no legal remedy available to her. Presumably therefore, if there is a physical assault or a threat of an assault, the victim of such assault can bring an action in tort and get an injunction to restrain further such behaviour. Of course the heart of sexual harassment is that tolerance of it is a prerequisite for the maintenance of the employment relationship. As such access to the routine civil remedies would not protect a woman from the consequences of her termination from employment.

Under the Industrial Relations Act which Act provides various legal remedies for unfair dismissals or other employer action on the basis of the standard of what accords with "good industrial relations practice", it is arguable that a female employee could bring an action complaining of sexual harassment. No such action has yet been filed in the Industrial Court. However there has been a case where the Industrial Court upheld a dismissal of an employee who had been charged with sexual harassing a female employee.

In other jurisdictions, sexual harassment has been interpreted by the Courts as one manifestation of gender discrimination and have therefore been able to invoke general statutory prohibitions against gender discrimination to protect and extend relief to an employee sexually harassed. In Trinidad and Tobago however there are no legislation which protects women from gender discrimination at the hands of a non-State actor such as a private employer.

### **3.2. Ratification of International Conventions**

In 1979, the General Assembly adopted the Convention on the Elimination of all Forms of Discrimination Against Women. This Convention ratified by Trinidad and Tobago in 1990. This Convention does not explicitly state in any of its articles that violence is a form or consequence of discrimination.

However, the Nairobi Forward Looking Strategy document recognised that: "Violence against women exists in various forms in everyday life in all societies. Women are beaten, mutilated, burned, sexually abused and raped. Such violence is a major obstacle to the achievement of peace and the other objectives of the decade and should be given special attention. Women victims of violence should be given particular attention and comprehensive assistance. To this end legal measures should be formulated to prevent violence and to assist women victims. National machinery should be established in order to deal with the question of violence against women within the family and the society. Preventive policies should be elaborated, and institutionalised forms of assistance to women provided."

This document also called upon governments to intensify efforts to establish or strengthen forms of assistance to victims of such violence through the provision of shelter, support, legal and other services.

The World Conference on Human Rights Plan of Action (1993) also contained a number of provisions on violence against women, the inclusion of these concerns being a direct consequence of national global actions around the recognition of non-state violence against women as a violation of human rights.

In December 1993 the General Assembly adopted by consensus the Declaration on the Elimination of Violence Against Women. This Declaration places the issue of violence within the framework of existing international human rights standards and represents a moral commitment by UN members to work towards eradicating violence against women.

Within the OAS system, the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence (the Belem do Para Convention) was adopted by the General Assembly of the OAS in June 1994. The Convention not only recognises that violence against women constitutes a violation of human rights, but it defines violence in both the public and private spheres. This Convention was ratified on 1/4.

The United Nations Declaration on Violence Against Women provides a broad definition of violence which States must address and remedy. The Declaration defines the term "violence against women" as meaning " any act of gender-based violence that

results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.”

The forms of violence against women listed in the Declaration are:

- a) physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
- b) physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
- c) physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

The OAS Convention affirms at Article 3 that “ Every woman has the right to be free from violence in both the public and private spheres. Article 2 defines violence in the following terms:

Violence against Women shall be understood to include physical, sexual and psychological violence:

- a) that occurs within the family or domestic unit or within any other interpersonal relationship, whether or not the perpetrator shares or has shared the same residence with the woman, including, among others, rape, battery and sexual abuse;
- b) that occurs in the community and is perpetrated by any person including, among others, rape, sexual abuse, torture, trafficking in persons, forced prostitution, kidnapping and sexual harassment in the workplace as well as in educational institutions, health facilities or any other place; and
- c) that is perpetrated or condoned by the State or its agents regardless of where it occurs.

In 1989, the Committee on the Elimination of All Forms of Discrimination Against Women adopted general recommendation 12. It recommends that State parties should include in their periodic reports to the Committee information about legislation in force to protect women against the incidence of all kinds of violence, other measures adopted to eradicate this violence, the existence of support services for women who are the victims of aggression or abuses, and the statistical data on the incidence of violence of all kinds against women.

## **CHAPTER IV**

# ***PROMOTION OF ALTERNATIVES TO VIOLENCE AGAINST WOMEN***

The enactment of provisions within the legal system, although imported, has done little to control the problem of gender violence in the country. While litigation has been the usual response from the State, recently there has been a re-orientation of this approach to encompass some of the alternative methodologies that are commonly used by NGOs and other charitable organisations. These include increased emphasis on research, public education and awareness through increased outreach and community-based services and a focus on male support services.

### **4.1. Male Support Programmes**

These programmes are provided in a limited capacity by the following agencies:

- National Family Services: Counselling and conflict resolution programmes.
- Mizpeh Halfway House Incorporated: Couples counselling.
- Men against Violence against Women: Support therapy for male perpetrators of violence; counselling males in 'at-risk relationships'.
- Families in Action: Prison outreach support and counselling to assist inmates in making a smooth transition back to society.
- Community Policing Unit: Develop and implement programmes and projects that provide guidance to youths in the communities.
- Domestic Violence Unit: Crisis intervention counselling, conflict resolution and mediation and counselling.
- Probation Services Department: Micro projects and training, grants for probationers, home visits, counselling and intervention with children manifesting behavioural problems.

While it is debatable, the extent to which either the male or female stakeholder requires greater support, it is important to note the effect of the legislation as it relates to

subsequent negative male behaviour towards their partners on the receipt of a protection order.

#### **4.2. Increased outreach and community-based programmes**

The increased reports of violence against women and children, as well as the increased reports of violence within schools have brought awareness of the necessity of implementing pro-active measures to combat the issue of violence in schools and communities.

*National Family Services:* lectures in schools on parenting, preparation for transition to secondary schools, and sexuality; training of trainers and care givers of homes and shelters.

*Families in Action:* outreach education to schools, community groups, and Employee Assistance Programme (EAP) to private sector organisations.

*Probation Services Department:* Family Remedial Therapy Meetings; intervention in matrimonials referred by Court.

*Hope Centre Limited:* family life education, visits to clients' homes to follow-up and maintain contact with families.

*Women Working for Social Progress:* domestic violence workshops at community level in which facilitators use the participatory approach for individual and group consultations.

*Men Against Violence Against Women (MAVAW):* re-education projects through outreach services.

*The Rap Port:* outreach lecture sessions to schools, church groups, and other community activities.

*Rape Crisis Centre:* public Education Programmes including public presentations and school-based education programmes. Public outreach involving media intervention and public education programmes to assist the public in understanding and dealing with issues concerning domestic violence.

*Community Policing Unit:* identifying problems in the community and developing strategies to address them in collaboration with members of the community.

*Domestic Violence Unit:* drop-in centres, visits to schools and other community groups.

The University of the West Indies (UWI):

- *The Centre for Gender and Development Studies (GCDS)*
- *Women in Development Studies (WDSG)*

### **4.3. The Centre for Gender and Development Studies**

The Centre for Gender and Development Studies is committed to a programme of teaching, research, and outreach which questions historically accepted theories and explanations about society and human behaviour, seeks an understanding of the world which takes women, their lives and achievements into account; identifies the origins of power differences between men and women and the division of human characteristics along gender lines.

It was established in September 1993 with units on each of the three UWI campuses and the Regional Coordinating Unit on the Jamaica campus. The Centre also generates extensive research data on women and/or gender-related issues in the Caribbean and serves as the catalyst to change the public's perception and understanding of gender issues and the changing role of women in the society.

Research on gender violence takes the form of 1) contract research 2) students' research papers and theses and 3) staff research. For example, in 1994 the Centre in collaboration with the Women and Development Studies Group prepared the report - *Women, Family and Family Violence in Trinidad and Tobago*, under contract from the CARICOM Secretariat. Student research papers and thesis topics have included the following: *Why Men Batter, The Development of Rape as a Crime in Trinidad and Tobago 1960-1990; Why Men Rape: A Look at Some of the Studies of what predispose Men to Rape in Trinidad and Tobago.*

The Centre also collaborates with state agencies e.g. The Domestic Violence Unit, in training programmes and programme development.

### **4.4. Women and Development Studies Group**

This group comprises staff, students and non-UWI persons who are committed to improving gender relations in the society and the region primarily through a variety of well-organised staff development and outreach activities within and outside of the

Campus. It offers training and development sessions (on and off campus) and periodically may be responsible for organising such for the general public. Outreach activities include mounting public lectures and panel discussions, lecturing to high school students, liaising with governmental and non-governmental organisations on women's issues and participating in national/regional conferences and workshops. Through these activities the group has been able to impact on policy-making at the national level. The WDSG is currently involved in a research project entitled: *Attitudes and Experiences towards Domestic Violence in Two Communities*. The communities are Barataria and Enterprise in Chaguanas.

# CHAPTER V

## CIVIL SOCIETY PARTICIPATION

Given the situation that exists today, many people may find it very difficult to envision life that does not involve some issue of gender violence. While the need for more comprehensive services is recognised, realistically these services are unavailable or limited. Yet the State cannot and should not be expected to do everything that needs to be done to protect women and children against gender violence. Civil society- NGO, CBO, women's and men's groups, religious groups and the private sector- also has a key role and responsibility to do what is required.

NGO have been providing a varied social service infrastructure for reaching and working with people. They frequently provide the medium for reaching their clients through a variety of activities including information, education and counselling, health, sports, cultural and recreational activities, leadership and vocational training, and community service. However, despite the number of media used, many people are still unable to access the relevant services, especially in rural areas that are “off the tarmac road”.

NGO also have played an important role in mobilising and engaging private sector and service organisations (Rotary, Kiwanis, Lions Clubs) support. This process has ensured that people have access to some key facilities that serve as an entry point for a range of health promotion activities and referrals. The following paragraphs outline the work of some key NGO in the delivery of services in areas dealing with domestic violence.

### 5.1. Hope Centre Limited

Hope Centre Limited is a registered voluntary organisation that provides temporary accommodation for the housing and treatment of abused and neglected children. The activities of the home are governed by the unofficial guidelines of the Ministry of Social Development and the legal guidelines set out for homes under the Children's Act.

#### ***Objectives***

1. To provide a temporary home for children age's 3-11 years, referred by social workers,

- placement officers, and the court.
2. To provide a safe environment where each child receives love, care, attention, education, prayer, and all the amenities of a good home.
  3. To obtain appropriate services to assist with the treatment and needs of the children.
  4. To provide counselling services to the children and their families.
  5. To liaise with the placement officers to ensure follow-up is maintained after they are discharged.
  6. To assist with the family life education to the public.

Every child that is brought to the home is done so legally through an official court document. There are special admittance forms that the parents sign when the children are allowed to leave by the court. There is a medical doctor attached to the home, who examines each child that is admitted, if the medical needs of the child are beyond that of the doctor or the home he/she is referred to the hospital for further treatment. In most cases the doctor is able to provide regular and on-going treatment to the Centre's children. There is no psychologist attached to the home, therefore the service is paid for when management requests the services of a clinical psychologist. The medical doctor is also able to ask the relevant questions of the child during the course of her examination.

The staff at the home consists of a supervisor/administrator who reports to the Chairperson, a bookkeeper, 4 part-time caregivers, and 8 active volunteers. The staff is selected on the basis of their ability to be sensitive to the needs of abused children. In fact the Centre does not use corporal punishment as a means of discipline, but instead use reasoning and love as the method through which the children respond best. The clients of the Hope Centre are mainly located in south Trinidad, but sometimes children may come from as far as central Trinidad. Where necessary, the Centre seeks to ensure that contact is maintained between the children and a sympathetic family member or guardian because of the transient nature of the home.

The chairman and the administrator of the centre were asked to share their views on the strengths and weaknesses of the services that they offer. They state that the quality of the service they offer makes them a better organisation. The knowledge and skills have grown as the centre has developed. There is also a high level of commitment among the staff, especially since they recognise the organisation's financial limitations, as well as the children's need for visible signs of love and affection.

The weaknesses have resulted from the limited financial resources available to the centre. While the FEEL provides regular foodstuff and clothing, the lack of additional financial support has hindered programme expansion, training and recruiting of more staff. The centre along with other charitable organisations has sought the assistance of FEEL to liaise with the Ministry of Labour to request special dispensation from the new Minimum Wage Order and increased National Insurance payments. An approach has also been made to the Minister of Social Development and Sports for an increase in the government subvention.

The Hope Centre with the assistance of the Soroptomist International Club of San Fernando intends to establish a home and programme for teenage mothers. They see a link in the work that they are presently involved, as well as the fact that there is a need for more of these programmes in the country. The Centre also intends to obtain assistance from the Gift of Life Programme with the medical expenses of the children that require more intensive health care. The Board also recognises the need to establish official recording system through which tracer studies could be performed on children who have lived at the Centre. There are also plans for more family counselling, as well as for persons who may just walk off the street to the centre.

Unfortunately the factors that make the Hope Centre so efficient also work against their attempts to obtain more government assistance. The Board has attributed this to the structure of the organisation and the effective management of the various committees. The ability of its members to access professional assistance at short notice through its membership appears to belie the need for assistance. There have been a few cases where children when returned to the family or a new family member may end up in a similar situation of neglect and/or abuse. There have been a few cases where some of the same children were returned to the Centre since their living conditions did not improve. At present the staff tries to maintain telephone contact or make surprise visits to the homes of these children. Accordingly there is a need for an increase in staff to assist in this area.

## **5.2. Mizpeh Half Way House Incorporated**

The Mizpeh Half Way House, a Christian-oriented institution, provides temporary shelter for battered women and their children. Its mission statement is to provide care, compassion, concern, and counselling to the destitute, abused and otherwise needy women of the nation. Its services are targeted to women from all over the country, however, it has the capacity to house only a limited number of clients.

There is a managing director and board of directors, as well as a sub-committee of administrative staff, and volunteers who plan and assist in fundraising activities and make decisions as to regulations and procedures in respect to the mission of Mizpeh. There are three full-time professional staff, (the managing director, the secretary to the shelter and the handyman). At present, the salaried position for a housemother is vacant. There are voluntary counsellors who work in the house on a part-time basis, who can be contacted at short notice. The service also includes a doctor who is available to the home. Fortunately, the health services at the Sangre Grande Hospital are very accessible and are utilised as required.

There are "Friends" of the Mizpeh House who are also available to teach the children at the home as well as to provide other types of professional assistance when the need arises. Training for staff is provided on-the-job by professionals attached to Mizpeh House. There is also a mandatory counselling service for all of the caregivers. The professional resource pool includes teachers, bankers, doctors, nurses, etc. However, psychiatric services are not available for a client who may be mentally ill so that such referrals are made to the relevant State service. The lack of a housemother and 24 hour supervision, does not allow for the admittance of teenage girls and pregnant women.

### **Services**

- Education and skill training- seminars for women are conducted in and around the community in Sangre Grande. The half way house also conducts cooking and sewing training classes as well as an agricultural course.
- Feeding and clothing programme that extends to individuals and families as far as Mayaro. These families are often referred to Mizpeh through the school principals who identify the children in need of assistance.
- Counsellor training programme in which individuals are trained to work with and care for abused women, incest victims, and substance abusers. The counselling programme provides services to both the female and the male partner if the latter is willing to be counselled. Fortunately, the Mizpeh House has also been able to obtain male counsellors to work with the male partners. Attempts are made to mediate between the partners and effect reconciliation. When this is not possible the partners are encouraged to separate.

Mizpeh maintains an official system of record keeping as provided by the Coalition against Domestic Violence. The latter allows them to keep track of their former clients, although most of the women keep in contact with the staff after they have left the home. The shelter's services are monitored by the Board of Directors through regular meetings, and programme and staff evaluations. There is one computer that is used for

record keeping as well as daily administrative matters. The books are kept up-to-date in case of any requests made by the government on the service and/or the management of the shelter.

The commitment of the staff and volunteers to service is seen as the primary strength of the organisation and their recognition of the need to empower the women under their care is an important feature of Mizpeh. It is not just a half way house, but a community-oriented service that tries to impact on the community in a spiritual and positive manner. Mizpeh's inability to access strong financial support on a regular basis is not due to a lack of trying but perhaps for the need to re-orient and revise the current approach to obtaining funds.

The Mizpeh compound consists of several buildings, including one that needs to be refurbished to provide shelter for the young male children of the battered women, who cannot always be accepted because of emotional state of some of the other clients housed at the shelter. Mizpeh would also like to obtain the services of a husband and wife on a full-time, 24-hour basis as house parents to manage this house. As well as providing a relevant service this building would also allow for further expansion of the services to the community.

The lack of financial response from the State and the public could threaten the sustainability and quality of the programmes. However, the Mizpeh Half Way House has been stretching its human resources and its limited finances to provide the best service possible for its clients. The Management of Mizpeh has recognised the important roles played by education and spirituality in interventions against domestic violence, and has sought to impart this to all its clients, the communities within which it works, and among the staff and cadre of volunteers. The religious basis of the organisation has made it very accessible to persons in need of its services, and could be viewed as its major asset.

### **5.3. Our Lady of the Wayside Shelter- Living Water Community**

The shelter was established in Belmont, Port of Spain as a temporary home and transition service for women and children in crisis. A client coming from any area in Trinidad is usually brought to the home by the police, welfare officers, by order of the Court, or sometimes parents. The board of directors of the Living Water Community manages the shelter.

A coordinator from the board liaises with the manager/administrator of the shelter. In addition to the manager there is one welfare officer, five paid trained counsellors (one full-time and the others part-time) a paid full-time clerical assistant, and a psychologist who volunteers. The shelter has also been able to obtain the services of two visiting psychologists with expertise in behaviour management for disturbed and autistic children. The psychologists provide training for the staff, as well as the mandatory-counselling programme. While all training is provided in-house some staff members have professional qualifications in nursery and childcare.

### **Services**

1. Provides shelter for children from the age of infancy to ten years old. However, in a few cases, teenagers are also granted temporary accommodation.
2. Counselling for children as well as loving care and assistance in re-organising their lives. Parents that have abused children as well as those who were witnesses to the abuse are given special counselling.
3. When necessary, training in parenting and other specific skills for employment purposes. Accordingly, the shelter must be sure that there is clear evidence of rehabilitation of all family members before the child is returned to his/her home.

Funds are disbursed to the shelter by its parent body, the Living Water Community. However, the shelter has received private donations from citizens visiting the shelter. All money received must be reported to the coordinator for accounting purposes. The Living Water Community funds its ministries through private fundraising activities, deeds of covenants, donations, revenue from a coffee and bookshop, donations of foodstuff, medical supplies and clothing, and a food catering ministry. A health plan is available to all the employees of its ministries through corporate assistance.

The shelter as part of the Living Water Community is included in its annual financial accounts and auditing reports. It maintains records as established by the Coalition against Domestic Violence, as well as personal files, medical records, a logbook, feeding charts for the babies and a record of the annual admittance to the shelter. However the recording is performed manually, without the use of computer technology. Requests on the clients' admittance, and the sources of admittance are made regularly by the State. The coordinator and the staff monitor the shelter and its services through regular meetings and staff evaluations.

There is also a high level of staff commitment as well as a close spiritual relationship with personnel at the Living Water Community. However, the limited financial resources

have delayed the growth of the shelter and its services and weakened its development capacity. Furthermore, finances have been strained by the enactment of the Minimum Wage Order. Additional 24-hour security for the clients and the building. Funding has not yet been allocated for the full-time services of a male security guard.

The management envisions the expansion of the services it offers to children and their mothers, and similar shelters around the country. There is also hope that it may be able to provide special services for children with behavioural problems.

#### **5.4. Women Working for Social Progress**

This organisation is based in Tunapuna, and was established in 1985 by a group of women who sought to find alternative ways to raise the conscience of the nation on the issues that were affecting women, as well as to promote the advancement of all women in the society. The grounding of the feminist approach in the delivery of social services has allowed the organisation to include a series of outreach programmes in their community-based activities. The target groups are located all over the country, and the services of the organisation are generally accessed through the media, and by the referrals from individuals, and communities with whom it has worked.

##### ***Services***

1. Domestic violence workshops (in-house and outreach) in which facilitators utilise the participatory method in their individual and group consultations. The methodology is key to the success of the programmes since it encourages continuous assessment and analysis of the process and allows for the inclusion of the 'local knowledge' or perceptions of the members of the group as they relate to domestic violence. The process focuses on the causes as well as the prevention of domestic violence and the situations that promote it. Participants are therefore encouraged to become more solution-focused and to develop alternatives that could negate the need for violence and legal proceedings.
2. A School of Alternative Education located at the organisation's offices in Tunapuna. The courses taught are mainly academic but also include a programme of gender sensitivity and training for institutions. So far this programme has been well received by school principals and trade unions. However, collaboration with the government has been difficult and has limited acceptance of the work of the organisation.

3. Campaign on Non-Violent Methods of Disciplining Children has been in operation and plans for its heightening are being developed.

The organisation has a non-hierarchical consultative committee with personnel responsible for the different aspects of managing the programme and the services. There is a part-time programme assistant, as well as a clerical assistant. The relevant personnel are employed on a part-time basis to coordinate specific programmes, when necessary. The consultative committee consists of volunteers who are trained professionals in academic and non-academic areas.

The members remain abreast of the practical and theoretical issues of gender violence through self-teaching with the relevant literature, a close connection with the university's Centre for Gender and Development Studies, and other gender-oriented programmes available on other campuses. The organisation has also exposed and trained its members in drama therapy and role-playing through the services of two qualified professionals. This training will be used in both the outreach and the in-house counselling programmes.

The system of record keeping has been limited in the area of domestic violence counselling. The confidentiality of data is difficult to maintain in a local context, especially in communities that are not easily accessible to the facilitators. The methodology while promoting a high degree of community participation fails to allow easy documentation of the process as well as maintaining confidentiality. However it is recognised that documentation could assist in the framing of organisational, and subsequently national policy on domestic violence.

The high level of sensitivity, commitment, and interest for communities and the people who are affected by domestic violence is identified as the organisations major strength. On the other hand, the organisation does not recognise what it possesses in terms of its power and its ability to reach and share with communities in a very special way the interaction that is denied to other agencies. There is need for more extensive partnerships with private sector and partner organisations, though past collaborations have been hindered due to the territorialism that occurs because of the limited pool of funds.

The organisation has recently established a Drop-In Centre for the public at the Tunapuna office. There will be regular workshops held at the School of Alternative Education on the following areas:

- Non-violent methods of child-care.
- Conflict resolution in the workplace
- Preparing for maternity leave- dislocations to the family and the workplace
- Socialisation theory- boys vs girls
- Non-violent parenting and corporal punishment.
- Anger management in relation to teenagers and violence.

The group's use of the innovative drama therapy in its community workshops is important, since this medium has proved to be successful in educating and empowering communities. The Women Working for Social Progress has a clear understanding of its weaknesses, and for the actions that are necessary to overcome them. On the other hand, the benefits that have been derived from its outreach programmes have had far-reaching and positive effects in changing their clients' perceptions of themselves and their communities. The focus on solutions to the problems of domestic violence, and the use of local knowledge in the workshops, set the foundation for social policy that could be shared with other organisations.

### **5.5. Men against Violence against Women (MAVAW)**

MAVAW is based on a philosophy that seeks to address violence against women, and calls for men to be more responsible in the family, the communities, and the wider society. The lack of male responsibility linked to the individual need for domination of the more vulnerable in society is seen as the main reasons for problems such as physical, sexual, and emotional violence against women and children. Since its establishment MAVAW has been closely affiliated to and worked with several NGO.

MAVAW has a membership of fifty consisting of a multidisciplinary group of male professionals, including the chairman, three directors who comprise the executive committee, a general council, and several ad hoc committees that deal with various administrative and work-related issues. Two counsellors (with access to the services of the Rape Crisis Society) run the office, while individual members are available to assist with projects when necessary. The skills of the members include counselling, legal,

project management, medical, etc. The support staff consists of one female clerical officer.

### ***Services - planned and proposed***

- Male support therapy for perpetrators of violence
- Counselling of couples in 'at-risk' relationships.
- Re-education projects through outreach services.
- Creating awareness through public education- electronic and print media about the problem of male violence.
- Legal counselling for clients
- Skills training for clients

MAVAW is one of the only male-based organisations, NGO or State, that offers views and exclusive services for men in the country. The service provides a positive and respected voice in discussion of male violence in Trinidad and Tobago and the complete lack of bureaucracy in delivery of services promotes spirit of confidentiality. According to MAVAW, a lot of men feel threatened by the 'psyche of the feminist perspective'. It is felt therefore that MAVAW's views are then difficult for the public to understand because of the strong influence of the feminist perspective.

MAVAW's vision is to establish a transitional home for men who are required to leave the family unit, and to conduct community seminars on gender issues using male presenters. In order to increase and sustain awareness of the problem of gender violence the use of entertainment is proposed in the form of a Gender Sensitive Calypso Competition. MAVAW is the only group that perceives its future success through political representation by one of its members.

MAVAW is the one of the few organizations that orients its services to provide extensive counseling for men, whether they are perpetrators or victims of gender violence. Its inability to attract larger sources of funding has limited the scope of the organization. MAVAW is taking a very proactive view to the prevention and intervention in the circumstances leading to domestic violence. There are plans to establish a temporary shelter for men who are left homeless as the result of a protective order. MAVAW in consideration of women and their children who are usually the victims of domestic violence and occupants of shelters rather than their abusers, would also provide accommodation (based on the referrals of the relevant authorities) to male batterers after a violent episode has taken place. The code of ethics on which MAVAW serves its clients- the promise to God, Nation, Family, and Self- sets the foundation for success and sustainability.

## **5.6. Rap Port, National AIDS Programme{TC \11 "Rap Port, National AIDS Programme}**

The Rap Port Youth Information and Drop-in Centre is a division of the National AIDS Programme Unit in the Ministry of Health. The Centre targets young people between the ages of 13-25 as well as individuals below and above the recommended target group. The Centre is located in the heart of the city of Port of Spain, at one of the most popular locations where many youths congregate during and after the end of school. The centre's main aim is to promote healthy lifestyle practices among young people and to provide them with the necessary services through the use of peer educators/counselors. The Centre also offers extensive outreach services to professional organizations and schools.

### **Services**

1. Counseling
2. Information and Teen Sexuality
3. Assistance and Referrals:
  - Crisis Counseling
  - STDs Support and Testing
  - Social Service
  - Clinic Service
  - Spiritual Upliftment
  - Health Education
  - Drug Abuse Prevention

Services also include outreach and in-house lecture sessions at The Rap Port, in schools, church groups, and any community outreach activity that reaches young people in a manner that demystifies the traditional delivery of information.

The clients may receive information on:

Self-esteem and peer pressure  
Personal hygiene  
Talking to strangers  
Human growth and development  
Self development and human sexuality  
Identifying strengths and weaknesses  
Setting goals and values

Contraception and parenting  
Puberty and adolescence  
Incest and abuse  
Women and AIDS  
HIV/AIDS and STDs  
Prevention and abstinence  
Stress management

Dealing with grief and loss  
Substance abuse and HIV/AIDS  
Care and support of people living with HIV/AIDS

Psycho-social issues of HIV/AIDS

A manager administers the Centre and its activities are developed and evaluated by the coordinator of the National AIDS Programme. The staff is often requested to give lectures to nurses, post primary children, and young people at the Blind Institute. The range of clients requires intimate knowledge of the clients' environment as well as the ability to switch jargons for specific audiences. The staff has received on-the-job training through scholarships provided to the National AIDS programme in counseling, behavioural sciences, management, HIV/AIDS and STD education, facilitating and conducting workshop sessions.

A client accessing the counseling services at the Rap Port is afforded a high degree of confidentiality by the peer counselors. For this reason, while there is a structured system of record-keeping files remain confidential in all cases other than when there is need to refer the client to other NGO and/or State agencies for the required support.

The outreach programmes allow for interaction with different segments of the community over a wide geographical spread. This process generates an atmosphere of reciprocity between the peer counselors and their clients who are able to share their perceptions and knowledge with one another. The positive response received from school principals when the peer counselors conduct seminars at schools encourages and sustains the commitment that exists among the staff. This despite the limited remuneration that does not provide them with the financial resources for outreach.

The organization has limited financial resources, which impedes programme development and service expansion. There is also a need to decentralize the services of the Centre given the strain on the human resource as well as the problems in accessing rural communities. The Rap Port believes that since young people are the more likely to have access to computers in schools and at homes, establishing a web site would increase the accessibility of the Centre's services.

It also sees a need for increased training in sex education for children just before puberty and/or adolescence, since this high-risk group seems to be unaware about the risks attached to intercourse in relation to the way in which their bodies function.

The work of the peer counselors is highly commendable given the limited financial resources that are available to the programme. As peer counselors they are able to provide information that can be appreciated by their clients, not only because of age

similarities, but also because their unfortunate life experiences has prepared them to understand many of the problems that are faced by young people today. The rapport that they build with their clients creates sustainable relationships, brings in more clients, and also encourages other young people to become involved in peer counseling programmes in their schools or other youth organizations. The dual meaning that is inferred in the name of the Centre is not just a mere moniker, but an honest description of its services.

## **5.7. Rape Crisis Centre**

The Rape Crisis Centre was established in 1984 in response to the high incidence of reports of rape, incest, buggery in the country, to provide counselling and support for victims of rape and domestic violence. At first the Centre was funded by the Caribbean Conference of Churches, and later by the United Nations Development Fund for Women. The organisation's focus on domestic violence is targeted mainly on incidences of physical, sexual and psychological abuse rather than wife-battering or family and personal problems.

The policy instruments that guide the work of the Rape Crisis Centre include rehabilitation, advocating change through formal and informal education, and assessment and monitoring of clients. The Rape Crisis Society seeks to address the issues of sexual and domestic violence, particularly as they impact on the most vulnerable members of society, through counselling and public education. The Rape Crisis Society is a focal point for active work towards change in all areas affecting these issues.

### ***Services***

- Hotline Services: This has been in operation since 1984, and offers telephone counselling, information, advice, and support.
- Face-to-face counselling: This service is geared to survivors who prefer to come into the Centre for personal counselling with the trained staff.
- Public Education Programmes: This includes representation on public fora and an educational programme for schools.
- Public outreach: This involves media intervention and public education programmes to assist the public in understanding and dealing with issues of rape, incest, buggery and wife battering.
- Fund raising: To generate funds to realise goals simultaneously raising the consciousness of participants.

- Library services: the Centre is engaged in collecting material that is related to sexual
- abuse, and other violent crimes. Material includes newspaper clippings, statistics, videos, and films that are available for public use and/or loan.

The data are collected through face-to-face counselling, and telephone interviews through the Society's hotline service. Lay counsellors or volunteers manage the hotline calls under the supervision of a full-time counsellor. The Society's full-time counsellors conduct the face-to-face interviews. The Centre also manages agro-processing and sewing businesses for its clients that live in the Shelter. The clients are taught the necessary skills through the assistance of two NGO the Federation of Women's Institutes and the CHOICES, Child Welfare League.

The clients of the Rape Crisis Society have a great deal of respect for the services offered and proven to be a significant source for referrals. The staff is very committed to their jobs and working with the clients, despite the financial difficulties experienced by the Society. There is need to increase the human resources in order to meet and match the growing demand of clients. There is also need to increase the government subvention to the Society, given the major role that it plays in the delivery of necessary social services.

The Rape Crisis Society has received recognition from its peers and other international organisations as one of the more successful NGO in the country. The records for January 1999 indicate that so far the number of men attempting to access services at the Centre is more than that for the entire year of 1997. Given this situation, it is important that funding for the relevant projects is increased. While the Society has been able to attract international funding, it is important for the State to recognise that the social problems are our problems and that there are places like the Rape Crisis Society that are able to handle them with a great deal of success.

## **5.8. Families in Action**

Families in Action is a non-profit, NGO concerned with "the upliftment and healing of individuals and families through counselling and group support". Its mission is to promote healthy family life; balancing emotional, spiritual and physical needs as well as to spiritually regenerate both the family unit and any individual of that unit experiencing pain, difficulty, or isolation. A board of directors consisting of a multidisciplinary group of professionals manages the organisation. The small staff also includes an administrative director, Employee Assistance Programme counsellors, paraprofessional counsellors, hotline staff, accounting staff, secretary, and receptionist who are highly qualified and trained.

The aim of the programme is to "build stronger families..by providing clients with the necessary skills to overcome the negative influences permeating the society, through counselling, group support and enhancement programmes". The target group includes drug addicts and their families, victims of sexual abuse and domestic violence, especially children, and persons living with HIV/AIDS. Most of the clients do not have the financial resources to pay for services so that Families in Action bears all the costs for the services rendered.

### **Services**

- A drop-in counselling service where personal problems can be solved in a caring, informal yet confidential environment.
- Outreach education to schools, community groups, and agencies.
- Short-term assessment and referral centre to professionals, organisations, agencies throughout Trinidad and Tobago.
- Training Programmes.
- Group support for recovering addicts and families.
- Support group for the Development of Women in an effort to enhance their self-esteem and maturity.
- Annual summer camp for youth- national level.
- Peer Counselling.
- A 24 hour, 7 day Hotline for persons in emotional distress.
- Assignment of University students for practical exposure in counseling techniques and services as a compulsory part of their final practicum.
- Prison/Youth Training Centre Outreach Support and Counselling as a rehabilitative effort. Attempts are made to "put meaning to life" for inmates and has assisted them in making a smooth transition back to society.

While the management claim that the success of their work is defined by the high level of spirituality of its activities, there is also effective and efficient management and delivery of services to clients, as well as a high level of staff commitment.

Unfortunately, the mandate of the community to provide such a cadre of services results in a serious dilemma since commitment to serve must be pursued with the best professional and paraprofessional support despite the inability to collect fees for the most of the services. Despite these problems the organisation is still able to provide support for many individuals and agencies in the country. It is an NGO whose work has received positive recognition as one of the ideal-types in the field of social services. Despite the effectiveness of its services, Families in Action, like several other agencies has been unable to get more substantial government support though it performs and assists with a wide range of services that lie within the domain of the State.

## **5.9. Other Comments**

Much of the work of the NGO involved in gender violence work in Trinidad and Tobago receive the support of religious organisations - christian, hindu and muslim. Due to nature of the service as well as the religious foundation of some of the agencies, the call for inter-agency collaboration and the creation of partner organisations may be difficult to create given the limited interest shown by many influential organisations on the problem of gender violence. The media's focus on the sensationalism and the 'worst-case scenario' of domestic violence and child abuse, has made the population numb to the extent of the problem.

Other interest groups like the Medical Association of Trinidad and Tobago and the Teachers' Union while aware of the far-reaching implications of the problem, are not motivated to take the necessary steps to deal with it. Although the State has a major part to play in the delivery of services concerning domestic violence, it is crucial that the level of awareness is raised among all members of civil society. The voices of the major interest groups may serve as a catalyst to change and increased support.

# CHAPTER VI

## PROPOSALS AND RECOMMENDATIONS

### **Possible activities at national level{TC \15 "Possible activities at national level}**

Several key principles can be applied broadly by programmes in order to ensure that programme interventions address real needs in the community and are sustainable over time. These include:

### **Criminal and Civil Remedies{TC \15 "Criminal and Civil Remedies}**

#### **The Role of Research: The connection of information with the goals of the programmes**

The use of action and evaluation research is important in cases where they may be used for needs assessments and the continuous assessment of a programme. These methods can also be used to monitor and evaluate programme effectiveness. By making goals and envisioning the future of a programme is one of the first ways in which staff and their collaboratives within the communities and partner agencies may do relevant work. An organisation should make use of the evaluation research conducted on similar programmes, so as to avoid and/or overcome similar. The State has already begun steps to establish a centralised system of data collection on domestic violence. This needs to be continued. This assessment would identify the size of the problem and the target groups, and allows the State's to increase the programmes' ability to serve the intended population effectively.

#### **Establishing New Relationships: The Creation of New Partnerships**

Because of the limited funding for many of the programmes, there is need for an integrated service effort based on new and strong relationships among communities, and collaborations with partner organisations. Collaboration must involve all of the stakeholders so as to create critical support during all the phases of programme and policy design and implementation. While there has been extensive collaboration between the State and NGO, the rewards do not reflect the extensive efforts that have

taken place. The support of the media, private sector, religious organisations and local leaders is necessary especially where opposition may arise to certain programmes. Collaboration at the community level could bring valuable alternatives that would strengthen the system of service delivery and make it more available and accessible to clients.

### **Inter-departmental collaboration within State organisations**

Within a given government department it is unrealistic to expect a programme to meet all the needs of the clients because of the scarcity of funding. Since complementary departments and other agencies exist in the same community, together they can provide a wide spectrum of support services. A school may partner with the community police and the local health centre to provide services on the school grounds or to improve referrals to the community-based site. Formal and informal referral networks though in place today, must save resources, strengthen both partners, and prevent the needless duplication of services. There is no need for programmes to provide expertise in all areas when they can access the strength and expertise of nearby partners.

### **Role of the Media**

To get information out to the public, it is essential that the media report domestic violence information and issues in an objective, accurate, and timely fashion. This would be best achieved through the creation of partnerships between the State and the media. The State needs to know how to relate to the media and meet their information needs- providing them with essential, accurate information that they can draw upon. On the other hand, the media needs to know what the important issues are, the information sources that are available in the social services sector, and how to use this information in a timely, newsworthy fashion. The two-way flow of information ensures that the public's immediate needs for information is fulfilled, and shapes the wider environment for programme intervention. The specific activities include:

1. Mobilising the news media to regularly report, monitor and comment on health.
2. Strengthening State/media relations
3. Positive communication of issues of domestic violence through entertainment and entertainers
4. Communicating important information to key people in the entertainment media.
5. Forming technical assistance groups that can work with the media on ways to incorporate accurate messages, especially sensitive ones, in programmes so as to contribute to changing prevailing attitudes and behaviours

## **Develop and strengthen management information systems**

The development of management information systems is an important way to strengthen a programme's infrastructure. Systems for tracking programme finances, service delivery, inventory, numbers of individuals served, or hours worked by staff, and for outlining procedures will strengthen efficiency and sustainability as well as assess progress. Funding, services, staffing, clients, tracer studies, reports and inventory can be adequately maintained to ensure programme accountability for the State and donor agencies.

## **Provide ongoing staff and training support**

Effective programme implementation requires staff with the technical skills to manage programme operations. Similarly, service providers must be comfortable with and knowledgeable about the programme's philosophy and goals. The recruitment and selection of persons to provide services in the area of gender violence must be taken seriously. The most successful programmes and organisations are those in which the staff was qualified and capable and exposed to continuous training. This enabled them to develop innovative and highly developed curricula and programmes to assist their clients. Continuous staff development would encourage the strengthening of programme goals, sustain staff morale and prevent burnout.

It is important to note that leaders of NGO and other civil structures outside government have become attractive commodities to donor organisations and the commercial sector. Though they are committed and dedicated individuals, many are attracted away from the service sectors by offers of higher salaries elsewhere. The implications of this brain drain on the sustainability and capacity of NGO and CBO are serious, given that they fill a large service gap that the State has not been able to deliver effectively. These stocks of social capital can be protected and expanding by increased funding by the State. State funding to such NGO would facilitate the payment of proper remuneration as well as the ability to attract more qualified personnel.

## **Establishing Awards**

Awards could be given to identify, review and name outstanding organisations and programmes. Establishing criteria for these awards can help set quality standards which will have a broader impact than the awards themselves. News coverage of the

awards presentation should be ensured, providing both advocacy and programming benefits.

## CHAPTER VII

### INFORMATION SOURCES

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## **ANEEX A**

### **ORGANISATIONS CONCERNED WITH GENDER VIOLENCE IN TRINIDAD AND TOBAGO**

#### **SIMERA'S OASIS**

Contact: Simera Melville  
Tel: 639-9852

#### **DOMESTIC VIOLENCE CENTRE**

YWCA

Address: Alexandra St., St. Clair Port of Spain  
Contact: Calvin Wilson  
Tel: 623-9667

#### **ZOE FOUNDATION**

Address: 32C Pro Queen St., Arima  
Activity: Distribution of food and clothing, counselling services, support services for the elderly and the youth.  
Contact: Garnet Howard, Anthony Ali  
Tel : 667-5135  
Fax: 643-5433  
E-mail: [howard@tsstt.net.tt](mailto:howard@tsstt.net.tt)

#### **WOMEN WORKING FOR SOCIAL PROGRESS**

Address: 14 Niles St., Tunapuna  
Activity: Public education, advocacy, domestic violence work  
Contact: Verne St. Rose Greaves, Jacqui Burgess, Rhoda Reddock  
Tel: 663-9509

#### **CARIBBEAN ASSOCIATION FOR FEMINIST RESEARCH AND ACTION (CAFRA)**

Address: P.O. Box 442, Tunapuna Post Office, Tunapuna  
Activity: Research, documentation, public relations, advisory service to regional women's organisations.

Contact: Cathy Shepherd  
Tel: 663-8670

**THE RAP PORT**

Address: National AIDS Programme, 27 Frederick St., Port of Spain  
Contact: Beverly King, Estwick Padmore  
Tel: 627-0841

**CHILD GUIDANCE CLINIC**

Address: Ministry of Health, Eric Williams Medical Complex, Mt. Hope  
Tel: 645-2640; 645-2641

**SAMAAN SHELTER**

Address: 17A Lady Chancellor Hill, Port of Spain  
Tel: 628-4218

**TRINIDAD & TOBAGO COALITION AGAINST DOMESTIC VIOLENCE**

Address: 3 Rust St., St. Clair, Port of Spain  
Tel: 628-0861

**LEGAL AID & ADVISORY AUTHORITY**

Address: C/o Fairfield Complex, Bacolet St., Scarborough, Tobago  
Tel: 639-6531

**FAMILIES IN ACTION**

Address: 82 Maraval Rd., Newtown, Port of Spain  
Activity: Counselling, Employee Assistance Programmes, support groups for female addicts, outreach programmes to schools and other organisations  
Contact: Ivis Gibson, Maureen Bowen  
Tel. 622-6952/5365  
Fax: 622-5365

**SOROPTIMIST INTERNATIONAL OF SAN FERNANDO**

Address: P.O. Box 80, San Fernando  
Activity: Service in the areas of health, education, the environment, human rights and status of women, economic and social development

Contact: Barbara Chatoor  
Tel: 657-9077

**YMCA**

Address: Wrightson Rd., Port of Spain  
Contact: Gregory Sloane-Seale  
Tel: 625-9622; 627-8764; 625-7747

**DEPARTMENT OF SOCIAL SERVICES**

Address: Tobago House of Assembly, Public Health Complex, Signal Hill,  
Tobago  
Activity: Policy planning for the health and social sectors.  
Contact: Claudia Groome-Duke, Agatha Carrington  
Tel: 639-3395  
Fax: 639-7943

**COMMUNITY POLICE UNIT (TRINIDAD)**

Address: Police Administration Building, Sackville & Edward Sts., Port of  
Spain  
Contact: Ag. Superintendant Ewing  
Tel: 625-4633

**ST. JUDE'S SCHOOL FOR GIRLS**

Address: 30 Belmont Circular Rd., Belmont, Port of Spain  
Activity: Rehabilitation centre for delinquent and neglected girls, education  
and training.  
Contact: Sr. Joan Charlerie  
Tel: 623-6334

**MEN AGAINST VIOLENCE AGAINST WOMEN (MAVAW)**

Address: 32 New St., Port of Spain  
Activity: Social activism, re-education projects, support therapy,  
project week implementation.  
Contact: Donald Bermont, Christopher Holder  
Tel.: 637-0924, 625-9431

Fax: 623-0193  
E-mail: [mavaw@usa.net](mailto:mavaw@usa.net)

**HOPE SHELTER FOR BATTERED WOMEN**

Address: Caroni Savannah Rd. & Beckles St., Chaguanas  
Tel: 672-5620

**ETERNAL LIGHT COMMUNITY**

Address: 62 Back St., Tunapuna  
Tel: 645-0525

**COMMUNITY DEVELOPMENT DIVISION**

Address: 29 Bacolet St, Scarborough, Tobago  
Activity: Leadership training, adult education programmes with community groups.  
Contact: Irene Beache  
Tel: 639-4818, 639-3421 ext. 300, 301, 303  
Fax: 639-4009

**OUR LADY OF THE WAYSIDE SHELTER**

Address: Living Water Community  
Jerningham Avenue, Belmont, Port of Spain  
Activity: Counselling, outreach through halfway house for abused and neglected children, hospice home for street boys.  
Contact: Rhonda Maingot, Rose Jackman, Zita Dennis  
Tel : 623-4677; 625-5168; 625-6730  
Fax: 623-5348

**PROBATION DEPARTMENT**

Address: Ministry of Social Development  
23 Charlotte St  
Port of Spain  
Contact: Vasant Ramkissoon, Claire Blandin

Tel: 623-8180

**NATIONAL FAMILY SERVICES**

Address: 84 Independence Square, Port of Spain  
Activity: Services in counselling for victims of domestic violence, child abuse, Support groups for men and women, parenting programmes, training and development, micro-enterprise programme for women.  
Contact: Norma James, Sita Beharry  
Tel: 625-6464/7715

**TOBAGO AIDS SOCIETY**

Address: Rm. 14, Fairfield Complex, Bacolet St., Scarborough, Tobago  
Activity: Education, counselling, home care, medica assistance, counselling.  
Contact: Margaret Wright  
Fax: 639-4507  
E-mail: [mwright@tstt.net.tt](mailto:mwright@tstt.net.tt)

**COMMUNITY POLICE UNIT (TOBAGO)**

Address: Scarborough Police Station  
Activity: Counselling, lecturing to NGOs, Forming of Youth Clubs, investigating reports of domestic violence, serving protection orders, mediating disputes, school visits, community patrols.  
Contact: Inspector Ulric Duke  
Tel: 639-4737

**WOMEN AGAINST VIOLENCE ABUSE AND VIOLENT ENCOUNTERS (W.A.V.E.)**

Address: c/o P.O. Box 450, Scarborough, Tobago  
Activity: Support group for victims of domestic violence and School video ministry

Contact: Earlyn Craig (639-7679), Jackie Sampson (639-1089), Allison Monroe 639-1264; 639-4446)

**T.O.W.E.R.S.**

Address: Mt. Grace and Providence Road Jcnctn.  
Mt. Grace, Tobago  
Activity: Temporary shelter, in-house counselling, referrals  
Contact: Barbara Stewart, Sherma Frank-Joseph  
Tel: 639-4620

**RAPE CRISIS SOCIETY**

Address: 40 Woodford St., Newtown, Port of Spain  
Activity: Working with social and emotional problems of women, men and children, professional counselling and educational programmes with similar organisations, outreach services and public education, training of professionals.  
Contact: Susan Hinds, Nesta Patrick  
Tel: 622-7273; 657-5355  
Fax: 622-1079

**DOMESTIC VIOLENCE UNIT**

Address: Ministry of Culture and Gender Affairs  
8 Queen's Park East, Port of Spain  
Activity: Data collection, public awareness programmes, hotline services, community-based support programmes, training.  
Contact: Aileen Clarke, Monica Williams  
Tel: 623-7032; 625-3112  
Fax: 625-3278

**HOPE CENTRE LIMITED**

Address: 47-53 Pointe-a-Pierre Rd., San Fernando  
Activity: Temporary shelter for abused and neglected children, counselling and parent support programmes.  
Contact: Cherry Bachan  
Tel: 657-9630

**LEGAL AID CLINIC**

Address: Hugh Wooding Law School  
27 Gordon St., St. Augustine  
Activity: legal training, legal representation and advice, advocacy, research  
Contact: Hazel Thompson-Ahye  
Tel: 662-2577; 662-5235; 662-5860  
Fax: 662-0927  
E-mail: [hwls@trinidad.net](mailto:hwls@trinidad.net) , [thomahye@tsst.net.tt](mailto:thomahye@tsst.net.tt)

**MIZPEH HALF WAY HOUSE INCORPORATED**

Address: L.P. 94 Bravo Hill & Coronation St., Sangre Grande  
Activity: Home for abused women and children, community hall and kitchen,  
counselling and support programmes for women, children and men  
Contact: Gillian Scott, Jennifer Baboolal  
Tel: 642-5802; 623-1637;668-3897  
Fax: 671-3097

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As of Last Complete Printing  
Number of Pages: 106  
Number of Words: 27,291 (approx.)  
Number of Characters: 155,562 (approx.)