



"One UN, One Goal"  
United for peace and  
development in Liberia  
UNITED NATIONS IN LIBERIA

# County Consultation on Draft Domestic Violence Law-Issue Paper

**October 2013**

**Facilitated By**

Ministry Of Gender and Development GBV Joint Program,  
International Rescue Committee,  
Kvinna till Kvinna & Medica Mondiale  
Mohamed A. Sheriff Esq. (Domestic Violence Law Consultant)

**With support from**



## **Table of Contents**

|   |    |
|---|----|
| 1. Introduction.....  | 3  |
| 2. Background .....   | 4  |
| SECTION A .....   | 7  |
| 3. Coverage & Methodology .....   | 7  |
| 4. Key issues.....  | 8  |
| 5: Baseline study on Domestic Violence in Buchanan City by WORIIWA (Partner of KtK) ..... | 9  |
| 5. 1 Workshop on Domestic Violence Draft Law.....   | 10 |
| 6. Focus Group Discussions by International Rescue Committee ( IRC .....                  | 14 |
| 7. Focus Group discussion by Medica Mondiale.....   | 20 |
| 8. Focus Group discussions facilitated by MOGD .....                                      | 20 |
| Section B .....   | 26 |
| 1. Methodology of the Study .....   | 26 |
| 1.1 Field Research .....  | 26 |
| 1.2 REGIONAL CONSULTATION.....  | 27 |
| 2.0 Key Findings and analysis of Findings.....  | 27 |
| 2.2Regional Consultation on the Draft Law .....   | 32 |
| 2.3 Key informant interview .....   | 35 |
| C. Conclusion.....  | 40 |
| Annex A: Groups.....  | 41 |
| Annex B: Facilitators.....  | 45 |

## 1. Introduction<sup>1</sup>

Violence against women and girls includes physical, sexual, psychological, and economic abuse. It is often known as “gender-based” violence because it evolves in part from women's subordinate status in society. Many cultures have beliefs, norms, and social institutions that legitimize and therefore perpetuate violence against women. The same acts that would be punished if directed at an employer, a neighbor, or an acquaintance often go unchallenged when men direct them at women, especially in the private sphere that is within the family. Two of the most common forms of violence against women are abuse by intimate male partners and coerced sex, whether it takes place in childhood, adolescence, or adulthood. Intimate partner abuse also known as domestic violence, wife-beatings, and battering is almost always accompanied by psychological abuse and in one-quarters’ to one-half of cases by forced sex as well. The majority of women who are abused by their partners are abused several times. In fact, an atmosphere of terror often seeps into abusive relationships. Intimate partner abuse is generally part of a pattern of abusive behavior and control rather than an isolated act of physical aggression. Partner abuse can take a variety of forms including physical assault such as hits, slaps, kicks, and beatings; psychological abuse, such as constant belittling, intimidation, and humiliation; and coercive sex. It frequently includes controlling behaviors such as isolating a woman from family and friends, monitoring her movements, and restricting her access to resources.



DVL Focus Groups Discussion in Nimba County

In an effort to develop and enact a comprehensive legislation to protect women and children in households across the country, the Ministry of Gender and Development with the support of partners hired the services of a National Consultant to gather information from the field that will enhance the review of the National domestic

<sup>1</sup> Final Consolidated Report by Madhumita Sarkar PhD. Advisor GBV JP with inputs from Mr. Timothy Paulus GBVJP, IRC, KtK, Medica Mondiale, and section B of the report from Mohamed A. Sheriff Esq. Domestic Violence Law Consultant

violence Act. The study was commissioned by the Ministry of Gender and Development (MOGD) with support from the SGBV Joint programme and UNFPA to interrogate the status of domestic violence in Liberia with the ultimate aim of coming up with data and evidence from the field that would inform the development of a Domestic Violence law for Liberia.

In an effort to further strengthen the discussions on the draft Domestic Violence Law, consultations and focus group discussions were held across the country by teams from MOGD and the partners' viz. Kvinna Till Kvinna, Medica Mondiale and IRC. Group discussions were facilitated with heads and representatives of 12 women group from around the country on September 3, 2013 by Kvinna Till Kvinna. IRC organized Focus Group Discussions in counties with their partners and group in Lofa, Nimba and Monserrado; Medica Mondiale in Riverjee, Sinoe and Grand Geddeh; the MOGD covered 11 counties Capemount, Bomi, Gbarpolu, Bong, Bassa, Nimba, Lofa, Grand Geddeh, River Gee, Rivercess and Margibi. This document captures the discussions, suggestions, and recommendations from the various group discussions and consultations held in Monrovia and the counties under Section A.

The study by the consultant was carried out in three strategic counties which are characterized as representative samples of designated geographic areas, namely, (1) Grand Geddeh County - representing the Southeast covering, Maryland, River Gee, Grand Kru and Sinoe counties; (2) Lofa County also representing Nimba, Bong County, Gbarpolu and Bomi County; (3) Grand Cape Mount County representing central-western counties of Grand Bassa, River Cess, Margibi and Montserrado ; Focus Group and key informant consultation were conducted mainly in the cities and larger towns of Zwedru (Grand Geddeh); Voinjama, Kolahun, Mongolahun (Lofa county) Robertsport, Grand Cape Mount County.

The selection of the Groups to be consulted during the Focus Group Discussion was done by the Ministry of Gender & Development in consultation with the Joint SGBV Program, UNFPA, and IRC. Both the Ministry of Gender & Development and IRC have been working with women groups around the country.

The Regional Consultation brought together participants who represented fifteen counties.

**Section A of the report captures the findings from the various group discussions by MOGD and Partners and Section B is the report by the Consultant.**

## **2. Background**

Domestic violence refers to acts of violence that occur within intimate relationships and take place in domestic settings. It includes physical, sexual, economical, emotional and psychological abuse. Spousal violence is a broader term that refers to

violence between husbands and wives, as well as violence between intimate partners. This summary paper focuses on the issue of domestic violence.

Domestic violence incurs significant social, emotional and economic costs to victims, their families and the broader community. Findings from surveys suggest that women are more likely than men to become victims of domestic violence, but that domestic violence can occur in a range of different relationship types, circumstances and settings.

Research suggests that some women may be more vulnerable to becoming victims and less capable of exiting violent relationships, depending on their age, living arrangements and abilities.

A number of factors have also been identified as increasing the risk that an individual will become a perpetrator of domestic violence. Understanding the complex interaction of attitudes, motives and situational factors underlying offender behavior is helpful in developing effective prevention strategies.

In Liberia as in other countries Domestic violence is across all socioeconomic and cultural boundaries. Violence is reported across all ethnic and racial groups. The prevalence of domestic violence in Liberia is not so widely known, however a study by IRC (2010) shows that 30% of men and 59 % of women believe wife beating is justified under certain conditions, while 58% of Liberian women are estimated to have undergone female genital cutting.<sup>2</sup>

According to the Liberian Demographic Health Survey 2007, <sup>3</sup>11% of women reported sexual violence, and 36% reported emotional violence, while 49% of ever-married women report some type of emotional, physical, or sexual violence.

Article 1 of the UN Declaration on the Elimination of Violence, defines violence against women as “any act of gender-based violence that results in physical, sexual or psychological harm or suffering, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life.” The General Assembly Resolution on the Elimination of Domestic Violence against Women expands the scope of violence to include “economic deprivation and isolation... [Which] may cause imminent harm to the safety, health or well-being of women”<sup>4</sup> The definition can also be extended to include sexual abuse and harm.

Liberia is a signatory to the AU Protocol to the African Charter on Human and Peoples’ Right on the on the Rights of Women; UNSC Resolution 1325 and <sup>i</sup>UNSC1820 (Art 13) urges that all parties concerned, member states, United Nations entities and financial institutions, to support development and strengthening of capacities of national

---

<sup>2</sup> International Rescue Committee: Let me Not Die Before My Time, Domestic violence in West africa, May 2010

<sup>3</sup> LDHS 2007, Survey, Pg 15 Para 5

<sup>4</sup> General Assembly Resolution 58/147, A/RES/58/147, 19 February 2004, para. 1(a).

institutions, in particular of judiciary, health systems, and local civil society Network in order to provide assistance to victims of sexual violence in Armed conflicts and post conflict situations.

The Liberian constitution empowers the government to act accordingly with the growing needs to the Liberian people. (Art 5{b}) states that **“The Republic shall: preserve, protect, and promote positive Liberian culture, ensuring that traditional values which are compatible with the Liberian policy and national progress are adopted and developed as an internal part of the growing need of the Liberian society.”**<sup>5</sup> this is also consistent with (Art.11{c}) of the Liberian constitution, **“All persons are equal before the law and are therefore entitled to the equal protection of the law.”**

While the government of Liberia has demonstrated its political will to establish Women and Children Protection unit in Police, a GBV Task force at the Ministry of Gender, hotline for Sex Crime Unit, enacting of the revised Rape law, the creation of Criminal court E specifically for sex crimes, this is still not adequate, although it is a step in the right direction. In some cases, allegations are made that the police, prosecutors, or the courts have facilitated ‘compromise of cases’ in other words taken bribes to discharge them (perpetrators) from trial.<sup>6</sup>

With such allegations of ‘compromised cases’, faith in the due process may be lost, or it increases lingering doubts on admissibility of evidence which is the prerequisite to winning any case; evidence gathered by duress is not admissible; in such processes, important elements are lost. Therefore, cases are either thrown out because of lack of evidence, poor records system, low incentives for investigators or lack of mobility thus the choice is left to the police to use their discretion in investigating cases.

IRC Study (2010) underlines the complexity of prosecution, it states, “ police attitudes are a decisive factor in a survivor’s ability to access justice. Too often Police officers justify not taking domestic violence claims seriously by pointing out that women later change their minds about pursuing prosecution. Yet women withdraw cases for complex reasons, financial dependence on their batterer, family and cultural pressures, fear of increased violence, guilt or belief that their spouse will change”<sup>7</sup>

As part of the growing need to protect Liberian women and children from Domestic violence, the government is required by constitution to act accordingly, therefore, in relation to the fulfillment of that demand, government has to **domesticate protocols, ascensions, or other documents ratified** to be in tandem with the national law

<sup>5</sup> The Liberian Constitution Art. 5b and Art 11C

<sup>6</sup> In-depth Study on Reasons for High Incidence of Sexual and Gender Based Violence-Recommendations on Prevention and Response- GoL/UN Joint Programme on sexual and Gender Based Violence, 2011, P52

<sup>7</sup> International Rescue Committee: Let me Not Die Before My Time, Domestic violence in West Africa, may 2010, page 15

through enactment and implementation of gender responsive laws such as the proposed Domestic Violence Law(DVL).

## SECTION A

### 3. Coverage & Methodology

To gain insights of what the Domestic violence Law should include, a number of important stakeholders, community men, boys, women and girls were consulted at different points as outlined below

**3.1 A** Focus group discussions (FGDs) and consultations with key stakeholders were held in 11 of the 15 counties in Liberia (Capemount, Bomi, Gbarpolu, Bong, Bassa, Nimba, Lofa, Grand Geddeh, River Gee, Rivercess and Margibi) with leaders and representatives of women group, youth group, GBV Observatories Networks, members of the GBV county task forces, GBV actors and service providers, Law Enforcement officers and court officials. A team of three (3) staff from the Ministry of Gender and Development and the Joint Program on SGBV conducted the FGDs in the selected counties. A facilitators' guide produced by the Program Advisor of the Joint Program was used as the tool for the FGDs and consultations. A total of **385 participants** (30-40 participants per county) attended the FGDs, of which 60% were women. The meetings were interactive and participants discussed issues concerning Domestic violence , it occurrence, forms and its impact on individuals, family and community. At the close of each discussion participants made specific recommendations and suggestions on what should be included in the proposed law and possible solutions.



Focus Groups Discussion in Grand Geddeh

**3.1. B** Focus Group Discussion facilitated by International Rescue Committee in Monserrado, Lofa and Nimba counties with **230 women**.

**3.1. C** Focus Group Discussion facilitated by Medica Mondiale in Grand Gedeh, Sinoe, and River Gee Counties with **60 participants** including market women and students.

**3.1. D** Discussions with 27 heads and representatives of 12 women group from around the country on September 3, 2013 with the support of Kvinna Till Kvinna

**3.1. E** Baseline study on Domestic Violence In Buchanan City by WORIWA ( Partner of KtK)

## **4. Key issues<sup>8</sup>**

The chapter on Offences against the Family of the draft law was extensively discussed in the counties. The subchapter **OFFENSES AGAINST THE FAMILY - Subchapter A. Domestic Violence articulates the following:**

**16.20. Definitions**

**§16.21. Offense**

**§16.22. Number of acts amounting to violation**

**§16.23. Grading**

**§16.24. Rehabilitation and fines**

**§16.25. Defense precluded**

**§16.26 Criminal charges and protection**

Referring to the draft law a facilitators guide was prepared to ensure all facilitators were focusing on the same issues; definitions, offences, what acts constitute violations, actions taken by the community. What should be done once there is a law? What do you want to see in the law?

The key issues coming out of the Focus Group Discussions were characterized by the participants' understanding and interpretation of domestic violence based on 4 broad questions.

- What is domestic relationship?
  - Who is a relative?
- What is domestic violence? ( Instead of what acts constitute violations)
- What do you do when domestic violence occurs?

---

<sup>8</sup> All responses in the document are captured as articulated by the participants during the discussions.

- What steps need to be taken once there is a law? ( aimed at eliciting responses to punishments, capacity building, awareness etc)
- What do you want to see in the law? ( aimed at eliciting responses around protection strategies to be adopted once a case is reported)

## **5: Baseline study on Domestic Violence in Buchanan City by WORIWA (Partner of KtK)**

WORIWA received a grant to campaign against Domestic Violence in Buchanan City, prior to the campaign the organization conducted a baseline survey to capture the forms and extent of violence women face in the city. The study covered 11 communities and gathered information from 589 women.

The forms of domestic violence were as follows:

45.8% Exchanged blows

8.7 % abused by alcoholic spouses, .7% alcoholic children, 5.8% alcoholic relatives

19.9% say spouses stopped talking

13.9% say that spouses sometimes threaten to beat children or separate them

19% say spouses criticized them

39.1% said there were unpleasant remarks on appearance

19.3% said spouses often impose dressing styles on them

9.1% women said they were very often locked in a room

11.9% said they were often forced into having sexual intercourse

**58.4% women say that at least once their family members or relatives threatened to kill them**

**73.9% said they were often abused by the same person**

**It is clear from the report that Domestic violence is rampant and women often face violence from children and relatives too.**

## 5. 1 Workshop on Domestic Violence Draft Law

A one day workshop discussing domestic violence law sponsored by Kvinna till Kvinna was held at Mamba Point Hotel in Monrovia, September 3, 2013. At the workshop 28 participants from 10 partner organization participated.

The views of women on how they understand the Law and possibly what should be done when the Law is passed is articulated below.

### 5.1.1 What is domestic relationship?

- A domestic relationship is a personal relationship between a couple, children and relatives with respect to culture and social values;
- A union base on marriage, living under the same roof and involving immediate or extended family members;
- A relationship either by blood or marriage. It is a union that morally binds people or group of people together;
- A relationship between husbands and wives, boyfriend and girlfriend, and include their relatives (immediate and/or extended). Also, between families bonded by marriage living under the same roof or household, in the same place or compound (group of houses together). Also people living in the same quarter, tribe or clan.

. Who is your relative?

- Mother, Father, Brother, Sister, Aunt, Uncle, Son, Cousin (1<sup>st</sup> ,2<sup>nd</sup> ,3<sup>rd</sup> , etc), In-laws, husband, wife, daughter, niece, nephew, grandmother, grandfather, son, members of the same quarter, village, clan or town, family friends that are consider “aunties” and “uncles” by our children(this is very Liberian),foster children, step children, adopted children , next door neighbors ,very close friends and pets.

### 5.1.2 What is domestic Violence?

Domestic violence is an act of violence committed against a person or persons whether socially, economically, mentally, emotionally, physically and/or sexually in the home, family or community.

- Sexual Violence: any sexual act done forcibly(without consent) to a person(s) or with consent involving a minor  
Examples: touching, caressing, squeezing, descriptive verbal reference to person’s body parts

- **Physical Violence:** Bodily abuse, or violence committed against a person(s) with the intent to subjugate that person usually intended to coerce.  
Example  
Kicking, slapping, butting, punching, use of object to hit, inflict injury on a person's body
- **Emotional/Mental:** torturing a person especially verbally or mentally to degrade or intimidate. Example. Name calling, extreme jealousy, trans aggression, making of threats
- **Economic Violence:** withholding resources from spouse. Example; financial, food, clothing, etc. Using minors as breadwinners for the family and depriving them of childhood.

Domestic Violence is any form of violence either in the home, family it is physical, structural or cultural and can prevent anyone from achieving his/her full human potential either because of sex or gender. It is also a form of violence that has both physical and psychological impact on the victim. Example: wife neglect, wife beating, rape, force marriage, verbal abuse, denying girl child to an education, lack of family support

Domestic violence is emotional, sexual, physical, psychological abuse by a partner or another person.

- **Emotional:** undermining an individual sense of self worth and self esteem. Example. Criticizing, diminishing one's attitude
- **Physical:** battering, slap, blow kicking, pulling of hair or using weapon or object
- **Sexual violence:** marital rape between husband and wife. It is also referred to that action that pressure or coerces someone to have something sexually.
- **Economic violence:** denying another financial and social support. Example: a parent denies a child an education(tuition); a woman is not allow to take part in decision making

Domestic violence is an abuse against women, man& children which results to sexual exploration, trauma, and serious bodily harm and also leads to social economic, cultural and traditional effects. Examples:

- **Socially:** the person is withdrawn, low self esteem/low moral; lack of confident in oneself; peer pressure; stigma; family neglect
- **Economically:** high poverty rate; lack of basic social needs; unwanted pregnancy, lack of economic empowerment, lack of basic education, reduction in self esteem, lack of confidence

- Traditional/cultural effects: Religious or cultural norms that interferes or influence marital issues. Early marriage, arranged marriage, force marriage, culture diversity, traditional belief and practices, taboo and norms

### **5.1.3 What do you do when domestic violence happens or is reported in your community?**

- All depends on the nature of the case/violence. Take the victim to the hospital then the police; guide the process in seeking redress; offer counseling and mediation; create awareness on the topic
- Engage victim and/or family; encourage victim to report abuse or violence. Sometimes directly report the violence to responsible authorities(local, police, CSO/NGO, etc); facilitate referral path to secure redress or address the issue
- Report the violence to the proper authority either police, hospital, court, social worker community
- Meet community leaders, pastors, imam, police, hospital, peace committees, community watch forum, follow up on the case, provide counseling and send the victim to a safe home

### **5.1.4 What should be done once there is a law?**

Once there is law, perpetrators, facilitators and compromisers should be brought to justice serving terms of jail sentence as stated below. Justice should be served no matter who he/she is in the community, church, government and family.

### **5.1.5 What do you want to see in the law?**

(Suggestions)

- Physical violence: for children it should depend on the gravity of the violence. The perpetrator should serve 1-2yrs in prison for brutalizing the child that leads to blood spill.
  - Breaking of a bodily part should be 5 to 10 years in prison and non billable
  - Medical expenses should be taken care of perpetrator and/perpetrator's family
  - Constant beating of children and partner, 3months to 3years in prison
  - Relatives who compromise violence should go to jail for 2 to 6months
  - Facilitators(aiding and abetting) a violence should be sent to jail for 6 to 1 year for objective crime
- Economic Violence: Persistent non support violators should be given a sentence from 6months to 1year
  - Salaries or income should be monitored and deducted to support child/family

- Support should come through court system
- Any police officer compromising persistent non support should be suspended for 9 months
- Men with many children who often support one set of children should be brought to justice and forced to support all the children equally. 2/3 percent of income should go to ALL his children
- Abandonment of a mother and child/children, father should be jailed for 7months and damages paid in monetary value
- Sexual Violence: Anyone caught in an abuse of a relative child should have lifetime in prison
  - Minors abuse sexually, perpetrators should have 10-20 years in prison
  - With forced sex in wedlock perpetrators should serve 2 months in prison
- Emotional/mental Violence: consistent and persistent proven verbal abuse
  - Perpetrators should have 1-3months in prison
  - Stigmatizing HIV/AIDS effected persons or others with serious impediments should have 1 year in prison
  - Government should provide safe homes for victims.

**Few Cases:**

Regarding how the law does not protect women.

“One woman was in a relationship for 5 years- the man broke her back from fight. They took him to the police and in court they told him to pay for damages. But he left and left her with the children”.

Regarding non-support:

“From our own experience at Children Protection Unit, men who neglect their children are usually income earners. Some of them are owner of, iPads, laptops, Iphone and have money but they do not support their children. Let them go to jail!”

“A deduction account where a % of a perpetrators salary is deducted “

Regarding: How to make perpetrators pay?

**Additional comments**

General effect of DV

- Creation of dysfunctional lives and homes
- Adverse effect on growth of homes, children progress (physically, morally, educationally, and socially)
- Broken home and lives as a result of divorce
- Low or lack of self esteem
- Physical handicaps, mental depression, death (inflicted or self-inflicted/suicide) contract of diseases

### **Most common types of Domestic Violence**

- Persistent non support
- Neglect/abandonment/wife beating and slapping
- Emotional abuse leading to stress, depression that leads to death
- Sexual abuse and sexual harassment

### **Challenges faced by a victim**

- Early marriage
- Arranged marriage, poor understanding leading to conflict
- Forced marriage that often result in lack of understanding love and also divorce

## **6. Focus Group Discussions by International Rescue Committee ( IRC)**

### **Focus groups discussion facilitated by IRC with women's groups in three counties Nimba, Monserrado and Lofa on the draft DV law**

#### **6.1.1 Definition of Domestic Relationships**

Relationship between all the people living in the same house and means a family relationship, a relationship similar to a family relationship or a relationship in a domestic/ house/home situation that exists or has existed between you and the person who has abused you. The women agreed to all the definitions provided in the draft law.

The nine groups in Montserrado expressed similar views about family/Domestic relation such as father, mother, children, In- laws, step Children, nephews and nieces and other family members who live under the same roof and share responsibilities.

Women from Nimba said, Relationship between father mother, children, children living with you even if they are not your own 'belly born' children and family members living in the same household. This extends to in-laws also. Family relationship include all the people related by blood including: husband and wife, 'baby ma', 'baby pa',

children born to a man and a woman in a household, relatives of the father and mother in a family. People in the same house that are responsible to each other, foster children, foster brothers and sisters, children you are taking care of and responsible for them.

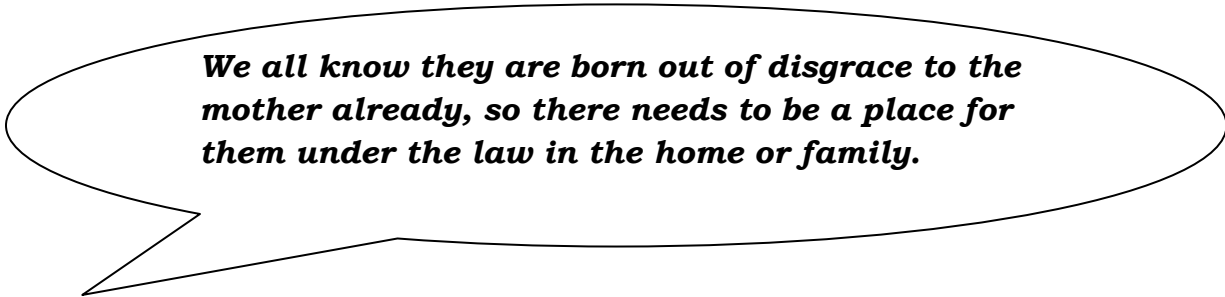
**There was extensive discussion on the exclusion under (d) of the draft law, women raised concerns on i and ii.**

***‘means a family relationship, a relationship similar to a family relationship or a relationship in a domestic/ house/home situation that exists or has existed between you and the person who has abused you’( DV Draft Law)***

d) and the abuser are parents of a child, are expecting a child together or are foster parents or adoptive parents to a child excluding:

**(i) where the child is conceived as a result of rape; or**

The women agreed to all the definitions from A to K in the draft law, except for (i) of D which says that a child conceived as a result of rape is not part of the family.



***We all know they are born out of disgrace to the mother already, so there needs to be a place for them under the law in the home or family.***

The women asked if such child is not covered in this law which law will the child be covered? **“Did I ask to be raped?”** If this child is excluded it will cause more problems for the woman and even end with early death. Others said, the man should understand the situation and give support to his wife by accepting the child as part of the family. Where do we take the child? Unless the government tells us a child born out of rape will be taken care of by them **(Government?)**

Exception:

(ii) where the parties contributed genes for artificial insemination, *in Vitro* fertilization or similar fertilization techniques, but have no other relationship;

Also for ii under D The women said No, **they do not agree to this and said, if both parties agree to contribute genes to make a human being, the child should be part of their family.**

### **6.1.2 Definition of Domestic violence**

Beating woman, not providing food in the home, leave woman with the children and take a new woman, husband's parent insulting you, making wife work on the farm all the time for them. Husband have another child outside the marriage and force the wife to take the child into the home.

Violence that takes place in the home between men and woman, parents and children in the home is Domestic Violence. The women and children are the ones who suffer most of the time. Men suffer domestic violence but most of the time it is women and children who suffer domestic violence and it is the men who carry on this violence.

The bad things that happen to women in the home or family between husband and wife, boyfriend and girl friend is 'Domestic Violence'. Beating wife, beating girl friend, taking the wife sister to be your woman (having sex with wife's sisters), taking wife's money and use it for your personal business, leaving the wife to be on her own after having many children by her and not supporting them, verbal abuse to wife because she cannot have children, having sexual affairs with friends of his wife to hurt her, not taking the wife important.

Forcing step children to have sex, beating wife, not feeding the home, not making farm for the family, taking the rice from the kitchen and selling it to use for himself. Taking away all the properties from the woman while you both work to get them; Taking the woman market money forcibly because he is the man; verbally assaulting wife or girl friend in public because of a new girls friend; encouraging new wife to insult old wife.

Comments on Sassy wood:

Sassy wood is not good, one woman from Lawalazu died, she was living in Soul Clinic and her husband was in Lofa (Lawalazu) when he went to Monrovia, he said that she had a boyfriend, so she should swear on Kola nut. He took her to her father and the father put the kola nut on the needle and (chanted) over it. She took the kola and ate it. From that day she started crying from her heart until she died. If the man wants to leave you, let him go, it is not good to swear.

The women said, 'YES' to sassy hood as a form of violence. Several women shared their experience on witnessing sassy wood in their communities.

1. I saw a woman who was accused by her husband of loving taking a sassy wood. The sassy wood man place the cutlass on the fire took it and placed it on the woman leg and she got burnt.
2. Another boy said, they stole something from him and everyone in that house was force to take the sassy wood after they went through the exercise one boy was burnt by the cutlass.

The sassywood rituals of Liberia and the West African coast come in several different forms, but all feature the “Ordeal tree” (*Erythrophleum suaveolens*). This tree produces a toxin similar to the tagena of Madagascar throughout its tissues, but also produces a hemolytic (blood-thinner), and a convulsant toxin. In the most common ritual, the defendant is called to ingest a concoction of the sassywood bark. If they vomit it back up, they are presumed innocent. Another common ordeal is to place a machete into burning sassywood, and when it’s red-hot, rub the blade on the legs of the defendants. Whichever defendant is burned is presumed guilty.

Since the disruption of the court systems during Liberia’s civil war, the [sassywood rituals have been regaining ground](#) as “legitimate” alternatives to “Western justice”. Despite being officially outlawed, the belief in the validity of the rituals has kept the tradition alive, [even in well-educated parts of the country](#), such as Monrovia. Nevertheless, many people have died because of being forced through them (unlike the other trials by ordeal, the choice to “plead guilty” instead of undergoing sassywood is [not usually an option](#) – even if it were, it would mean accepting death by machete rather than death by poisoning), and international justice communities are seeking to bring down the use of these rituals.- by Arallyn Primm

3. Yes, some times when a woman stays long in a labor she will be asked to confess and because of the pain she may lie. Several similar examples were given sassy wood.
  - a) female genital mutilation performed on a person under the age of eighteen (18) or a person eighteen (18) years old or over without their consent;

**Response:**

We agree to the above being included in the law, but when a child follows her friend to the society bush because she was encouraged by her friends it is not the parents who did it or a family member. We have some cases of our girls following their friends to go to the bush and causing us to spend money we did not plan to spend that way.

### **6.1.3 What do you do when Domestic Violence happens/reported in your community?**

#### **Following were the responses of the women from different groups:**

- First we can see and hear from the person on how the thing happen, when, where and who did it
- We tell or encourage the person to talk with someone who can help in her situation
- Follow up and continue to visit the person until she gets alright.
- Sometimes it is reported to the police when it is too violent
- We as women action group refer or report to the town chief
- We refer to the family who can help in the situation
- If the woman is beaten badly the town chief forces the man to take the woman to the hospital and fine him.

**The women were asked who benefits from the fines. They said the town chief and the elders!!**

The women also said 'as women groups they document cases, do counseling, refer cases to other service providers and make follow up visit'.

According to the women family members most often compromise such cases, community leaders want to find solutions at the community level instead of taking the community problem to the police, police often take money from people, when physical injuries occur the decision is seldom taken by the one who is injured, family members, friends and neighbors make decision on what to do if the husband is not willing to take responsibility.

The women also said that:

- 'We can report to our parents, because in our community, even if you are ill treated by your parents, you tell them. If you go and tell others, they will look at you to be the bad person. You tell your parents and they will tell you what they think you should do'.
- 'If the problem is serious, a woman reports her husband to the police for beating her. If you report to the town chief he will send you to the family to talk over the matter. He will chastise you for reporting to him, before sending you back home. The man's family and your family will not accept you. It can even result in the man leaving you and your children.'

#### 6.1.4 What should be done once there is a law

##### Some of the proposals made by the women were:

- Government should make sure it is on radio in kissi so all the people will understand it
- Train the magistrates on the law and how to use it.
- Hold town hall meetings to explain the new law to all women, men, boys and girls because- the boys too are treating the girls badly as they are riding motorbikes and getting money
- *'The women action group should be trained on the law and supported to teach people in our communities on what is in the law'. Include men in telling people what is in the law. Teach the law to the police, magistrates, community leaders, Let everyone know about the law.*
- *Involve the various radio stations in Nimba to talk about the law in mano, gio and Mandingo.*
- *Put the law in postal sheet, bill boards so that people will read it and understand everything in it.*
- The government should send people to Barkedu to read the law and explain the chief and the elders.
- Tell the men here what is in the law and what will happen to people who do not uphold the law.
- The law should be explained in Mandingo so it will be accepted by us the Mandingo people here: men and women
- Announce it on the radio

Having this law is very good and we appreciate the effort as these are the silent killers for women in their own homes.

We appeal for:

1. Women should be supported to feel free to take decision to take the husband to law suit and they should get helping hand while the case is going and even after. Your own family may even go against you if you take your husband to court.
2. There should be program to help women be safe to take their action. Safe home where she can have food to eat and not think about where to eat food from, her children school fees also so, she will be able to rest and think on what next to do.
3. Support her in making business and support her when she is going through the tough time in court. She needs time to rest and heal and this is expensive.

Only way women will seek justice is if they know they will be taken care of while the process is on. A woman may start today and with draw tomorrow because, she cannot cope with responsibilities like, looking for food, transportation to go to the court, children wellbeing, pressure from people all around her blaming her for not bearing the beatings

## 7. Focus Group discussion by Medica Mondiale

The Group discussions were facilitated by Atty. Alice Kenkpen Sirleaf who began by explaining the significance of the discussion and the approach of the Government to address the issue of Domestic Violence. The participants agreed to all the definitions provided in the draft ACT. The comments on sassyhood and FGM were as follows:

They agreed on the inclusion of sassyhood, trial by ordeal, forced FGM before 18 years, and forced marriage as domestic violence law. They responded affirmatively and stated the wordings should be as follows:

*"If every single incident of physical violence between a wife and husband or between family members will constitute domestic violence, then compromise of cases will even be higher than that of the cases of rape"*

- County Attorney, Nimba  
County

***"No woman should be forced to take sassyhood to confess crime, boyfriend name, and the name of the person who impregnate them."***

***"No woman should be forced in the act of FGM before 18 years."***

***"No woman should be forced to marry a man who she does not want to marry."***

## 8. Focus Group discussions facilitated by MOGD

**The MOGD facilitated FGD in 11 counties** (Capemount, Bomi, Gbarpolu, Bong, Bassa, Nimba, Lofa, Grand Geddeh, River Gee, Rivercess and Margibi) **with network members, women men's and youth groups**

### 8.1.1 Key outcomes of discussions from the county FGDs

Participants across the 11 counties agreed that violence against women and children in homes occurred every day. However, *"we don't know how they call it. All we know is that this is how we met our parents. The women and children in the family must respect the man every time because he is the big person for the family. He has the right to beat*

*his wife and children any time if they make him vex*” says a female member of the GBV Observatory Network in River Gee County. Most of the participants’ previous understanding of domestic violence before the sessions was that it’s accepted by the culture so it is “okay.” The views expressed by the participants of the FGDs in the 11 counties are summarized below.

**8.1.2 Definition of Domestic Relationships**

The general definition of domestic relationship from the FGDs in the counties is:

- A relationship that exists between families and a group of people who live in the same house, quarter, village or town<sup>9</sup>.

**8.1.3 Definition of Domestic violence**

After hours of heated deliberations and exchange of ideas

***“Men are quick to get vexed when they are not working or when they don’t have money. Every small thing you tell them will make them angry – even if it is for their own good is this Domestic Violence?”***

-A female participant from Grand Bassa County

*“So if my husband does not beat me every time, but when he beat me once in a while because, I make him vexed, you say I must report so you can put him in jail or fine him?”*

- Head, MOGD Rural Women Network, Gbarpolu County

the participants in most of the FGDs defined domestic violence as any violence perpetrated against any member of the family or relative who lives in the same house, compound, quarter or village; it could be physical, psychological, economical, sexual, and emotional. In Grand Geddeh one participant specifically highlighted the issue of “Coercion” when speaking of psychological and emotional violence. Participants expressed fear of the DV law being too harsh as the way they conceived the rape law. The participants considered domestic violence as slapping, kicking, beating which result to physical harm, forced marriage, denial of right to education in the family (for example, in many parts of Liberia parents will prefer their sons going to school, while the girl child is confined to domestic work), persistent non-support, verbal abuse,

<sup>9</sup> A quarter in rural Liberia is defined as a number of houses constructed in close proximity of each other in the same town. In Liberia people who live in the same quarter are referred to as families or relatives. Under this arrangement, although there are heads of various households with in the quarter, everyone looks up to the oldest male family member to be the head of the quarter.

coercion, threats of actions that influence another person. This includes any behaviors that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure or wound another person.

**Facilitators' comments**

*During the discussion participants defined domestic violence based on their own experience and contexts. The discussions in all the sessions explored the debate on whether domestic violence is gendered or not. While initially the arguments focused on violence perpetrated on women by their intimate male partners and family members, participants noted the existence of male victims and female perpetrators and also violence between other family members such as young people towards parents or siblings and adult children towards older parents. Most participants insisted that the central element of domestic violence is an ongoing pattern of violence or behavior by the perpetrator. They stressed that a single incident should not constitute domestic violence except in the case of serious bodily injuries sustained by the victim. It was explained to them that Domestic Violence is most often a pattern and never ends in one slap.*

Participants of the county FGDs named three (3) main causes of violence in families and homes as follows:

**Jealousy**

Participants believe that most incidences of fighting or beating of women in families is due to men accusing their women of extra marital affairs. Most men accuse their women of cheating and are jealous of friends (female) they make in their community.

*“He follows me secretly when I am going to school. Because of jealousy, he does not want me to talk to anyone, even my classmates. Many times he jumped on me and beat me because he saw me with some of my female classmates. He accused them of finding man for me”*

-A young woman in Zwedru, Grand Gedeh County

**Use of Alcohol**

Among the possible causes of domestic violence against women, alcoholism is the most frequently mentioned cause across all the focus group discussions.

Most participants stressed that alcohol plays a major role in domestic violence. They lamented that when men are intoxicated they tend to force and manipulate their women to have sex. Any attempt to refuse leads to beating and serious verbal abuse.

**Cultural belief (gender roles)**

Most men view women as objects and believe in rigid gender roles. Culture makes women as subjects and objects, thus offering a setting for men to control women in Liberia.

**Poverty and unemployment**

Poverty and Unemployment were also widely seen as contributing factors to domestic violence, across the 11 counties with older people especially likely to see violence as having an economic explanation. One of the participant said that “men quick to get angry when they are not working or when they don’t have money. Every small thing you tell them will make them angry – even if it is for their own good.”

**4.4.4 Access to Justice & protection of victims**

Participants recognized the huge flow of domestic violence cases once there is a law and people decide to comply by reporting incidences of domestic violence. Therefore to ensure access of justice, participants recommend that the Act considers the establishment of **“stand alone”** domestic violence courts across the country to deal specifically with domestic violence. Presently in most **communities, domestic violence cases are handled by town chiefs, elders, and traditional and religious**

“Women who are abused cannot report their husbands to “outsiders” because according to our culture, you are bringing shame on your husband.” Felecia Jallah, GBV Observatory member from Potupuo District in River Gee

**leaders.** Participants in most of the FGDs revealed that 90% of domestic violence cases are compromised. Most incidents do not even get to community leaders because of culture and fear of more abuse. **Participants unanimously stressed that women who muster the courage to complain may not get redress in their favor and in most instances are exposed to further**

**violence.** In view of this participants suggested that the draft Act should consider the issue of **PROTECTION OF VICTIMS WHO WILL REPORT DOMESTIC VIOLENCE.** Failure to ensure protection will become an incentive for wide spread compromise.

**8.1.5 Training of Domestic Violence Officers**

The causes of domestic violence are very complex, to a large extent systemic, reflecting deeply held gender views in our communities. There are also a number of factors that greatly exacerbate the likelihood, frequency or severity of domestic violence. Therefore to deal with domestic violence participants suggest that Law enforcement officers handling domestic violence issues must be adequately trained.

Following on with the issue of understanding the dynamics of relationships,

Cllr. Hector Quoguah, County Attorney of Nimba County provided the following scenario:

*“When police officers are attending domestic violence incidents it is difficult at times to identify the ‘primary aggressor’ and the ‘primary victim’ ... Thus it is important for police to have an understanding of the complex nature of domestic violence and the manipulation and power dynamics that are involved to aid them in their role as domestic violence officers. Police need to know who is at greater risk and who should be excluded from the home. Sometimes the aggressor gets to the police first; sometimes the victim is not a strong communicator. Moreover, a female victim might be upset and take it out on the police officer and thus seem to be the aggressor when in fact she is not. As one can understand, this is a very complex area and training of officers is paramount and should be comprehensive.”*

**Facilitators’ comments**

*Some participants stressed that considering domestic violence as violence within the family, or within a group of people who have the same identity, the proposed Act should consider other mechanisms in term of a process in bringing perpetrators to any kind of justice required. **They spoke of mediation in domestic violence cases. However most of them maintained that any consideration of mediation in domestic violence matters would need to be approached with extreme caution and requires thoughtful and detailed consideration, with appropriate checks, balances and protection in place, for victims of domestic violence.***

**8.1.6 People living with disabilities**

The FGDs participants recognized the unique vulnerability of people with disability to abuse, neglect and exploitation within families, and considered it important that there be no dilution of protections for them in the proposed Act.

**8.1.7 Punishment (jail terms and fines)**

In terms of punishment for perpetrators of domestic violence, views of participants were diverse on the issue across all of the FGDs in the 11 counties. In some counties

participants call for jail sentences ranging from 1 month to 5 years depending on the gravity of the crime. In other counties, participants preferred fines for perpetrators, while other preferred fines for “lighter” offenses but jail sentence for incidences that will cause physical harm such as breaking or bruising of body parts. Most participants stressed the drafters of the Act most ensure that provisions in the law must be implemented as articulated.

## 9. Fears and Concerns of Participants

- A domestic violence law could create conflict/division among and within families.
- Lack of capacity of Law Enforcement actors and courts to deal with the high skill of reporting once there is a law
- Compromise of case (*why a law when people will not report the crime?*)
- Before the law takes effect, GOL and partners must conduct an aggressive and consistent awareness in communities
- How will the law address the cultural and traditional norms within families and households (Early marriage, force marriage ,etc)
- Women who report domestic violence (especially consistent beating by an abusive husband) are exposed to more violence
- Lack of protection for women who report domestic violence
- Domestic violence law should not be seen as “too harsh” as is the impression most local people have for the rape law.
- Special protection for women with disability.
- Training of officers

## Section B

Section B captures focus group discussions, regional consultations and Key informant interviews facilitated by the consultant who was hired by the Ministry of Gender and his team.

### 1. Methodology of the Study

In an effort to meet the goals; data collection instruments<sup>10</sup> were developed to gather views of different stakeholders through discussion and key informant interviews. Key elements that should be considered in the drafting of the domestic violence law were considered, including participatory approaches involving group discussion with Women, Youth (boys and girls separately), Men, Religious (Christian and Muslim separately), traditional and local authorities.

The field research focused on issues that constitute domestic violence; the draft law was presented at the Regional Consultations where participants reviewed and provided recommendations for inclusion in the law. The Key Informant Interviews were held with key decision makers to elicit their recommendations for the law.

#### 1.1 Field Research

In order to frame the questions for each focus group, the consultant designed questionnaires in collaboration with the Steering<sup>11</sup> Committee, Ministry of Gender and key partners who had prior experience working on domestic violence.

The Head of Women and Children Protection Unit of the Police, Minister of Gender, and Judges in the specialized Criminal court E, other Circuit Courts, County Attorneys were selected as the experts to be interviewed based upon their reputations in the field and the fact that each had an in-depth experience in establishing policy and control mechanisms in domestic violence.

The Head/members of the Traditional Council of Liberia, the Head/members Council of Churches/Church Leaders and the Head/Members Muslim Council of Liberia, and local Leaders were interviewed.

<sup>10</sup> Annex C

<sup>11</sup> Steering Committee Members are; Deputy Minister Victoria Lang MOJ, Deputy Minister Annette Musu Kiawu MOGD, Cllr P. Teplah Reeves Affel, Cllr. Zeor Daylue Bernard, Cllr. Yvette Chesson-Wureh and Noxy Brown Angie Brooks Center, Cllr. Felicia Coleman, SGBV Crimes Unit, Damare Theriot PAE, Abhilasha Bhist UNICEF, Stella Twea UNFPA, Siena De Tutu UNMIL LJSSD, Mohmad Sherif EHUD, Madhumita Sarkar GBV JP and Joseph Monibah, Human Rights MOGD

At the start of each session (FGD), ground rules were established to ensure remarks made during the discussion would not be attributed to any individual; rather, the aggregated data gathered would be recounted in a summary report that would constitute the final report. The notes of each of the focus groups were taken by three male facilitators one from the Human Right Division of the Ministry of Justice, Human Right Division of Ministry of Gender and Development, one partner EHUD and one female from IRC.

The review committee had agreed before the consultant left for the field that the following stakeholders would be asked to participate in a focus group for each particular constituency:

- Men
- Women
- Youth (boys separate from girls)
- Local Authorities
- Traditional Leaders
- Religious Leaders (Christians separate from Muslims)

In all, one hundred and eighty (180) people participated in six (6) focus groups representing each region breakdown by sex and group. The groups were held in various locations around the country to ensure diversity, ethnicity, gender and geographic location, traditional practices and culture; people were encouraged with an interest and expertise in this subject to participate meaningfully.

## **1.2 REGIONAL CONSULTATION**

The Regional Consultations brought together 90 participants; six participants were drawn from all fifteen counties to review the draft domestic violence bill and bring up other issues considered by their community as Domestic Violence, this composed of men, women, youth, religious leaders, traditional leaders and local authorities, The discussions were guided to keep the participants focused on the issues.

## **2.0 Key Findings and analysis of Findings**

### **2.1 What do you consider as Domestic violence?**

**Definitions of Domestic Violence**

*“The bad thing men do to women in a relationship, like not feeding wife and children or sending children to school”- Women group, Grand Gedeh*

Women explain that in some relationships whether you are married or cohabiting, some men have the financial resources they will deliberately refuse to take care of the family and cause the children to suffer.

*“Any harm that you (any member) cause on your family”- Men group, Grand Gedeh*

*“The action you take to suppress members of your family”- Youth Group, Grand Gedeh*

*“Any action that causes mental disturbances” – Men Group, Lofa County*

*“Refusing your partner every right in marriage” – Women Group, Lofa County*

*“Violence against vulnerable persons in the home” –Youth Group, Lofa County*

*“Any violence perpetrated against a person in the family” –Women Group, Grand Cape Mount County*

**The forms of domestic violence in communities**

The forms of Domestic violence observed in the communities are grouped together by the forms of abuses, what is noteworthy is that the issues are cross-cutting in the counties and there are limited violations unique to specific settings in Liberia. Participants further listed other violation that do not fall into the internationally recognized abuse, however these are unique in the Liberian situation.

| <b>Different forms of Domestic Violence found in communities</b> |  |
|--|--|
| <b>Forms of abuse</b>  | <b>Characteristic behavior</b>   |
| Physical abuse   | Slapping, Kicking, Biting, Threat of force or harm you, Used of fire arm or weapon, Threatening or physically assaults, including punching, choking, hitting, pushing and shoving, throwing objects, smashing objects, damaging property, assaulting children, burning property belonging to another |
| Sexual abuse   | unwanted sexual contacts, including rape, incest, deliberately <i>Infecting your partner,</i>  |
| Economic abuse   | Not paying school fee, Not feeding your family, Not paying rent, Exerting control over household or family income by preventing the other person’s access to finances and financial independence (not allowing people to go to school, gainful employment or legitimate businesses                   |
| Emotional, Verbal & psychological abuse                          | humiliation, threats, insults, swearing, harassment or constant criticism and put downs,   |
| Cultural abuse   | <i>Witchcraft, FGM, Charms, Sassaywoods, forcing people to drink herbs or portions</i>   |

Although there are on specific laws addressing Domestic Violence, the Liberian National Police Women and Children Protection Unit has limited data on domestic violence violation for which it is currently using in address women’s grievances. This data is a useful reference to gauge the of prevalence of domestic violence in Liberia.

**2.1.1 When these things happen in a community what actions are taken to address them?**

**i. Who do survivors go to for help?**

Research from this survey shows that aomen prefer the use of the under listed means to address domestic violence violation all the three regions; no one method have proved effective as recounted in a focus group discussion.

Police (women and children protection units, Hospital, Chiefs, Family members, Gender ministry, NGOs, Traditional leaders, Club leaders, Close Friends, Women action groups

*“When my boyfriends beat me and threw my things out, my friend came and took me to her house and after I made the complaint to the police, she gave me and the children clothes and food” –Women Group, Grand Cape Mount County*

Domestic violence is committed equally by males and females a view shared by some sections of the community, particularly males. For example, one in five respondents in this survey indicated that they believed that domestic violence is perpetrated equally by both men and women.

Majority of women are ashamed to report abuses against them due to cultural reasons; traditionally women or men do not take their husbands or wives to court or police for any abuse because they believe that it is a family matter. It is considered non masculine to complain that you were beaten you up if you are a male or refused food, women feel afraid because they fear more violence. This is because society has set of norms and mind-set on what is expected of a matured man and woman.

**Both men and women report to**

Family members, Religious leaders, Close friends, Traditional leaders

Men usually express their frustration through alcohol or aggressive behavior in the home, leading to physical violence, or withholding financial resources needed by the family.

Apart from differences in the prevalence of violence, there are differences in the nature of the violence perpetrated by males and females against their partners. Males are more likely to engage in violent behavior against their partner (not limited to physical violence) and the violence is more severe and more likely to result in serious injury as concluded in this findings that domestic violence can be categorized as either:

- involving aggression, intimidation, verbal abuse and physical violence to assert domination and control over a partner; often resulting in broken body parts
- involving tradition & culture, religious as a driving force or

- An impulsive act committed in response to emotions of frustration and anger, with no real expectation of achieving a set objective.

However, women who are violent are more likely to be driven by frustration and anger rather than by a specific objective, and their violence is more likely to be committed in self defense and common ploy used refusal of food or sex.

### **2.1.2 What are the services that are available in your community to help survivors?**

The research showed that, four out of every five women surveyed were of the opinion that Domestic violence is the most common factor contributing to homelessness among women and their children. They may be forced from their homes in order to escape violence, disrupting children’s schooling or social support networks. Women who have lived or still living with a violent partner are also more likely to experience financial difficulties or hardship as a result of the relationship.

Support services like **safe home** for women are only available in one of the regions Region 1. Grand Cape Mount, Montserrado, Grand Bassa, and Margbi counties, however, family support, NGOs, Faith based assistance, Elders and the chiefs’ wives or Zoes also provide help to the community when required.

“In our place, when your husband is drunk, and starts to destroy things or is violent in the house we call on the elders who in turn ask their first wife to assist us for some time until the dispute or issue is settled” – Women Group, Grand Gedeh

While there is limited support for women, there are no formal services available for men, in all three Regions, when Domestic violence issue occur, men are often viewed as antagonist instead of partners in the eradication of the abuses.

### **2.1.3 Do you think you are actually protected with the current mechanisms in place? (Women and Children Protection Unit at the police, hotline at sex crime unit, Rape law, Criminal court E etc...) formal /traditional**

During the discussions, most participants agree that the current mechanisms are a positive step, however; more needs to be done to address domestic violence in a holistic manner.

Most men in the discussions, were of the opinion that they are unfairly targeted by the current policies regarding domestic violence, women were of the opinion that the policies could contribute greatly to relief from violence, however it needs to be monitored, especially cases where the police have delayed investigation or sometime manipulated the outcome of their investigation branding the victims guilty before trial. The availability of limited numbers of judges who are specialized in sex crime and police coupled with ignorance of the rights of women could be a limitation and exacerbate the issue.

What is noteworthy is that children and older women continue to be targeted, often using culture to abuse and denying them their rights or manipulating religious beliefs and practices to force victims into subordinate roles or to justify abuse, this is clearly evident amongst all religious faiths and communities.

Most women were of the opinion that **subordination** to their male counterpart is an essential component of the religious observance of their faith.

2 Corinthians 7: **“wives be submissive to your own husbands and the church is submissive to Christ”**

Witchcraft accusations have often been used against children or older women, participants also reported that two out of every three older woman who is poor, destitute in a rural setting or the family is undergoing serious financial difficulty is

“One day, our older aunt was living the home with us, and my uncle wife had a miscarriage and she said that in her dream, she dreamt that our aunty was pulling the foetus out of her womb and it happened the next day so she was a witch. As a child I felt too bad and too scared until the zoes came and took her away to the Sande bush” –Women group, Grand Cape Mount County

likely to be accused to witchcraft.

The local structures continue to play a role in addition to the work of the Criminal Justice system, there is some evidence that children who observe violence (especially siblings and parents) by someone with whom a child identifies with closely (eg. a parent), contributes to intergenerational transmission of violence.

There is also an association between domestic violence and child abuse (child physical, sexual and emotional abuse) and neglect, which is related to a range of negative physical, psychological and emotional consequences.

#### **2.1.4 Obstacles to the prevention Domestic Violence**

The prevalence, severity and form of domestic violence, access to services and capacity to leave violent relationships differs within a community, with certain groups more vulnerable than others. Domestic violence is more prevalent within certain communities especially amongst rural women in Liberia or communities with strong religious affiliations and cultural beliefs. Women with traditional gender role attitudes are less likely to report violence; one possible explanation for the low reporting rate is that victims of physical or sexual violence committed by current partners may be less likely to perceive the incident as a crime than if it were committed by a stranger.

Other reasons include a belief that the incident is too minor to report, shame or embarrassment, a desire to deal with the issue themselves, fear of the perpetrator or of the consequences of reporting the incident, cultural barriers, and concern about having to relive the event by re-telling the story to multiple parties

A key issue preventing Liberian women from accessing counseling, legal and medical support services is the closeness and breadth of kinship groups. This can impact on an individual's anonymity and their decision to disclose offences for fear of social and physical repercussions, alienation and upheaval within the community and the family.

The risk of violence varies across different communities; however, there is a greater risk of violence against women in communities where the following attitudes or norms exist:

- Traditional 'macho' constructions of masculinity;
- The notions that men are primary wage/bread earners and the heads of the household whereas a woman's place is in the home;
- standards encouraging excessive consumption of alcohol, extra-marital relationships, polygamy;
- standards that facilitate peer pressure to conform to these notions of masculinity
- deep rooted religious and cultural practices, violent media portrayals and
- lack of comprehensive legal framework to address domestic violence and its support services

## **2.2 Regional Consultation on the Draft Law**

### **2.2.1 What do you consider as Domestic violence?**

#### **§16.20. Definitions**

The definition of Domestic Violence as articulated in the draft law under section 16.20 was shared with the participants. All were accepted and few additional suggestions were made for inclusion in the law. They are:

- Use of witchcraft and charms to abuse a person
- Cultural abuse
- Infecting a partner knowingly
- Forcing someone from your family be a member of any secret society
- Intimidation of additional definition: yelling at someone
- Abuse of Child that resides in and out of the household (foster houses, mission's homes).

#### **§16.21. Offense**

Regarding offences suggestions were made to include the following:

- Miss-use of the rape law
- Witch craft
- Use of Charms

- Infecting an innocent partner or concealing information of such
- Stalking should not apply to children, as they need to be guided by parents

**§16.22. Number of acts amounting to violation**

Number of acts amounting to violation is accepted; however the participants were of the opinion that traditional leaders or local structures should have a role and jurisdiction over some of the issues. As a single act constitutes a violation under the law

**§16.24. Rehabilitation and Fines**

When a defendant has been convicted of domestic violence, the court may:

- (b) impose a fine pursuant to section 50.9 of which twenty-five (25) percent shall go to the Domestic Violence Victim’s Fund; or

**Respondent questioned why a portion of the fine imposed should go to the government?**

**Civil Procedure Law Amendment; Chapter 7 Provisional Remedies Subchapter G Specific Orders (Main Provisions)**

The participants agreed to Criteria, provisions etc under this chapter and had some comments under Terms of the final Protective Order.

**§7.155.Terms of the Final Protective Order**

- b) *The court may on court’s own motion:* direct the respondent to surrender any firearm or other specified weapon in possession of the respondent

*The respondent at the consultation questioned, what will be the case of those who use firearms such as Police, Army and other security personnel’s’ on official duty and have the right to take those arms home?*

►include requirements that a party shall make in favor of another person such periodical payments, for such term, as may be specified by the court, or that a party receive counseling, or grant exclusive tenancy of any shared residence inclusive of the use of household items; or require the respondent to vacate the matrimonial home or any other residence shared by the applicant and the respondent and grant the applicant exclusive possession, **regardless of ownership**, subject to a time-limit; or

*This portion of the civil procedure was seriously questioned as this will infringe on the other rights of use exercise*

**Amendment to Executive Law  
Establishing Ministry of Gender and Development**

**Section 38.3. The Mandate of the Ministry of Gender and Development**

The participants proposed the establishment of programs and services for perpetrators, victims, law enforcement, prosecutors, judges and the public including

- Chiefs
- traditional leaders
- Religious institutions that will work on DVL issues

e) Training of law enforcement and judges, prosecutors to be aware of the issues relating to victims in cases of domestic violence; and

**Additionally: Chiefs, Traditional Leaders, Religious institutions**

**Section 38.11. Victims of Domestic Violence Support Fund**

***Fund Management Board composition:***

Participants are of the opinion of two vice chairs, one of which is Victim’s organization representative, then representatives of the religious bodies and traditional leaders

***Recommendations to the drafting Committee***

***Recommendation 1: expand the scope of definition to ‘Cultural abuse’***

Amend **§16.20** by expanding the scope of the definition to cover ‘Cultural abuse’

**Cultural abuse-** includes but not limited to the following;

- a) causing, through threats of force, physical force, coercion, of a person in a domestic relationship to witness or participate in any ritual, traditional rites or ceremonies without their inform consent
- b) removing or attempting to cause a removal of child, putting a child in position of vulnerability to hear, witness or participate in any ritual, traditional rites or ceremonies without the consent and proper supervision of the customary caregiver/guardian

making inscription on the skin or any form of tattoos or similar without inform consent, administration of obnoxious substances causing **‘serious bodily injuries’**(contrary to section 1.7 of the penal law) or any other acts or omission the court finds comparable in gravity

***Recommendation 2: Provision for Traditional Structures***

Amend the provisions under the domestic violence act to accommodate the traditional structures

- i. Religious bodies

- ii. Chiefs or Zoos
- iii. Community Based Organisations
- iv. Community policing

***Recommendations 3: provision for witness protection***

Make a provision that other applicants or witnesses and their relatives have the same privilege of the protective order and immunity from prosecution of libel

***Recommendation 4: Amend the Executive law, of Section 38: 3&11***

Amend the Executive law, of **Section 38: 3&11** to include specific roles of the UN, NGOs and other concern groups

***Recommendation 5: Amend the current draft to include Fire Arms control***

Amend the current draft to include a sub-section on fire arm control, use, exemptions in relation to the domestic violence law Why was this proposed and what did respondents feel that this is necessary?

## 2.3 Key informant interview

### Expert Interviews

**Judge at Criminal Court E (Felicia Johnson);** is the only presiding judge dealing with sex crime cases in Liberia, and domestic violence issue falls within her jurisdiction. This interview occurred at the Temple of Justice.

**Minister of Gender & Development, (Julia Ducan-Casell; PhD)** is currently the Minister of Gender & Development whose ministry is the lead in the development of the domestic violence law and an ardent women advocate. Dr Ducan-Casell had previously served as a Superintendent of Grand Bassa County one of the fastest growing youth populated counties of Liberia, where issues of Domestic Violence and Sex Crime is on the increase.

**Muslim Council of Liberia, (Sheik Kafoumba Konneh)-** is one of Liberia’s leading Islamic scholars and currently the Chairman of the Muslim Council of Liberia and one of the few leaders with high moral standing who participated in brokering the peace which Liberian now enjoys. The interview took place at his home office.

**Christian Leader (General Superintendent of Assembly of God Church)** is the presiding Bishop of the Assembly of God Church (AG) and hold a Doctorate in Divinity.

The church has a large following among the Liberia population and stands in a persuasive position and one of the opinion leaders in the Christian circle. The interview took place at the Church’s National Conference.

**National Traditional Council of Liberia, (Chief Zanzan Kawah)** is currently the Head of National Traditional Council of Liberia; his institution represent the consciences of all traditionalist (Zoos and Chiefs) in Liberia and all cultural practices, rituals and other norms. Its influence over the whole Liberia and its member are highly regarded. This interview took place with him and four other including two female Zoos and the National Traditional Council Headquarters.

### **Summary of interviews**

#### **I. What do you consider as domestic violence?**

Any act that will result in harming the wellbeing of any family member, be it physical, emotional, verbal or psychological, economical, sexual is domestic violence; any act that tends to destroy/disturb the cordiality of family relationship, whether physical, emotional, verbal, financial, or even sexual is domestic violence.

#### **ii. In your opinion what are the forms of domestic violence in your community?**

- Beating, punching, biting
- Insults
- Excessive jealousy
- Denial of basic necessities for the family
- Any violent behavior
- Destruction of properties
- Insult and verbal abuses
- Unfaithfulness to your partner
- Insults
- Disrespect
- Lack of compassion
- Burning your spouse because of jealousy or her property in the home,
- requesting for dowry from former partners,
- forcing someone to do something they do not like,
- not taking care of your family, emotional torture,
- not paying school fees or rent

#### **iii. What do you think are the causes of these problems in your society/community?**

Growing up in an environment where:

- Media messages that link sex and violence
- A strong sense of entitlement in relationships/marriage as a result of culture orientation
- Don't care about the welfare of others

- Feel that exploiting a weaker person is okay
- Lack of education by women and girls
- Poverty
- Lack of sense responsibility
- Alcohol and drugs abuse
- Excessive alcohol and drug abuse exist
- low self esteem/feeling of inadequacy specifically feeling disrespected, rejected, abandoned, isolated or depressed
  - early exposure to sexual or other abuses
  - Crime because of poverty
  - premature exposure to sexually explicit materials for youth
  - lack of anger or impulse control
  - children lack positive male role model in the family
  - lack of respect for moral norms and values
- cohabitation and extra-marital relationships
- alcohol and drug abuse
  - lack of empathy
  - rigid or distorted gender/sex roles
- lack of respect for cultural norms and values
- Feel that exploiting a weaker person is okay
- Because traditional leaders do not have enough say/control due to the new laws
- Getting unhealthy messages around sexuality is the norm through the media
- There is little or no respect for other people
- Premarital sex, and cohabiting
- Education on human rights issue

**i. Do you think the current measures taken are enough to deter domestic violence Yes/No (*Explain in each case*)**

Judge Johnson response was that we have moved a step forward in alleviating most of the serious pains; however, we are far from the point of resting that indeed women are protected. There are a currently limited number of specialists in the field who understand the issues being investigated or adjudicate, women's' right is everyone challenge in making the homes and environment safe. The issue is not just empowerment for only women, empowerment and protection should be directed at everyone, and even boys have been abused in the homes. The laws should be accompanied by adequate provision for its implementation.

Dr Ducan-Casell felt it is a process that needs to be given time to manifest, however there is need for additional tools to address domestic violence, especially when there is no specific legal instrument. As the nation grows, things change and different needs arise.

Sheik Kafoumba Konneh opinion was, that these are temporary steps, legislation in itself will not be a perfect solution, a community and nationwide approach on how to build and maintain a healthy family must be on the agenda for change in any future effort by the Ministry of Gender & Development. There should be a credible Judges, Magistrate and other court officials in dealing with domestic violence, there is a need to train them properly and monitoring their actives.

Christian Leader (General Superintendent of Assembly of God Church) said, ‘the current mechanisms are positive steps, however more education is needed for the public in additional to laws made, and these laws should reflect the growing need of the nation.’

**ii. How does your community manage these issues?**

The General Superintendent said that domestic violence issue is a real problem in the society and the church had taken measures to address them from the early stages of training of Church Leaders, this is done at the Theological Seminary or Colleges to prepare both Male and Female pastors for these tasks.

Pastors are trained to respect the dignity of women, child up rearing, and the women ministry in the church, workshop, seminars and Bible school training. Most of all our marriage and home course all done by all those who would like to get marry in our church or are married there.

Counseling services are always available for all members in the church, and we work with anyone who shows these warning signs of being disturb.

The Islamic community has its set rules that Muslims should obey, mostly disputes in a family are settled by negotiation and counseling, in every case, those who are wrong are told the truth. Older women and the Imams help manage issues, with both parents of the man and wife. We offer support to victims of violent relationships, through provision of food, shelter etc...

This is a challenge faced by each religious community; therefore, in violent cases most cases are referred.

According to (Chief Kawah and others)

The culture has set rules for men and women to live by, and the family of the man is responsible for the protection of the woman, and that mistreatment is not allowed, when it occurs fines are levied against the perpetrator (man).

Nowadays, young people do not wait to be given out into marriage, where both parents take responsibility for the success of relationship, they start having children before getting married, and they have no respect for cultural value. One of the female Zoos making a point, she talked about how casual sex is now more the norm for today’s youth within the context of the

quest for instant gratification so common in today's culture. ***However, in our culture, when domestic violence or spousal abuses take place; the chiefs or elders will hear cases from both the man and the wife if the issues come to our attention.*** They will judge the case in two ways. Issues that are trivial the elders will investigate and counsel the couples without apportioning blames to anyone. While in very serious cases, fines have been levied against the culprits (mostly men). Where the issue involves serious bodily injury or death the community leaders refer the case to the police.

Tribal court or trial by ordeal has been abolished, making the chiefs and community less effective in taking punitive measures.

**iii. Suggestions recommendation for the domestic violence law**

- institute programs and trainings from a multi-sectoral approach in dealing with domestic violence
- have a budgetary allocation for this law's effectively implementation before passing it
- Improve public awareness on domestic violence and review policies and standards regularly and update them to reflect current situations
- Empower women, men, girls and boys equally to have balanced society
- Improve traditional methods of domestic violence case management
- Ensure collaboration at all levels
- Empower women through education and skills training
- Negative attitudes towards women are different across cultural groups and are influenced by culturally-specific norms and social relationships, therefore, it is this attitudes we need to address in young males
- Increase public education on the risks associated with domestic violence and its impact on a family and nation
- All future laws should be monitored at all levels
- the religious institutions should have role in the law on managing domestic violence issues
- All future laws should accord the religious bodies the opportunity to have a say in its creation and administration as these are main point of contact for citizens.
- Increase the legal services – all people employed in the courts do not have a clear understanding on how to deal with domestic violence issues, many judges or magistrates lack the requisite experience in handling such cases. In our culture, only men and women who have spent over thirty years and have gained the admiration and respect in the community can be a part of our decision making body (according to Chief Kiazulu).

## **C. Conclusion**

The draft Domestic Violence Law has been extensively reviewed and the issue of domestic violence discussed with nearly one thousand community members, through focus group discussions, regional discussions and Key Informant interviews. Section A and B of the report captures the views of a representative sample of people from 15 counties of Liberia. The draft law was used to elicit views of men, women, boys and girls in the community on the definitions and various provisions under the law and also gather information on the current community redress mechanisms to protect women from violence in their homes.

Domestic violence is a profound betrayal of the love and trust that people have for those closest to them and the damage it inflicts is equally deep. Domestic violence is also an abuse of human rights, all those who are affected have the right to report violence and lead a life free of violence.

The system must recognize that domestic violence is an inherently gendered crime and viewed as an internal family matter, secondly decision makers in the homes and community are often men and perpetrators are mostly men. However, children, elders and differently able (disabled) often face violence from women, men and youth. The Government and its partners must have a clear plan to put systems and protective structures in place to ensure survivors are safe and their lives are not jeopardized in their homes or communities prior to the implementation of the law. The drafters of the Domestic Violence Law will now have to review the different sections in the law in the light of the rich discussions and recommendations made by the people of Liberia.

## **Annex A: Groups**

Groups who participated in the FGDs:

MOGD: Counties covered (Capemount, Bomi, Gbarpolu, Bong, Bassa, Nimba, Lofa, Grand Geddeh, River Gee, Rivercess, Margibi)

1. Leaders and representatives of women group, youth group, GBV Observatories Networks, members of the GBV county task forces, GBV actors and service providers, Law Enforcement officers and court officials. A total of 385 participants (30-40 participants per county) attended the FGDs, of which 60% were women.

### **Kvinna til Kvinna**

| <b>No.</b>           | <b>Organization</b> | <b>Sex</b> |
|----------------------|---------------------|------------|
| Grace S. Borbor      | WORIWA              | F          |
| Theresa O. Brown     | WORIWA              | F          |
| Awanah T.R. Flee     | WANEP/WIPNET        | F          |
| Marie D. Porzah      | LOWAL Inc.          | F          |
| Helena Torh Turo     | SEWODA              | F          |
| Haliyah L. Hinneh    | SEWODA              | F          |
| Atty. Irene N. Saie  | AFELL               | F          |
| P. Teplah Reeves     | AFELL               | F          |
| Charlotte B. Elliott | CLA                 | F          |
| Rhodell M. Cooper    | CLA                 | F          |
| Elizabeth Harmon     | LIFLEA              | F          |
| Cynthia Quaqua       | LIWEN               | F          |
| Wokie Cole           | LIWEN               | F          |
| George N. Weah Jr    | SEWODA              | M          |

|                  |   |   |
|------------------|---|---|
| Lucky T. Wesseh  | Movement for National Women Association | F |
| Finda Salay      | WONGOSOL                                | F |
| Julie N. Roberts | WORIWA                                  | F |
| Bennetta Warner  | LIFLEA                                  | F |
| Eugene Gray      | MARWOPNET                               | M |
| Martha J. Wisseh | MARWOPNET                               | F |
| Grace Stephen    | SOIL                                    | F |
| Ansu A. Sesay    | MARWOPNET                               | M |
| Betty Broh       | LIFLEA                                  | F |
| Lena Cummings    | WANEP/WIPNET                            | F |
| Asatu Bah-Kromah | LIFLEA                                  | F |
| Diana M. Dennue  | WPWHDO                                  | F |
| Kulah M. Borbor  | WPWHDO                                  | F |
| Nelly S. Cooper  | WPWHDO                                  | F |
| Susanne Mannberg | KTK                                     | F |
| Zuleika Candan   | KTK                                     | F |
| Ruth Toby        | KTK                                     | F |
| Musu Dikenah     | KTK                                     | F |
| Timothy Paulus   | UNDP                                    | M |

**3. IRC : Lofa, Nimba and Monserrado**

Lofa county:

- Duogomai Women action group
- Kolahun Women Action group

Foya Women action group

- Kuzumai WAG- Lofa County
- Barkadou Women Action Group

Nimba County:

Ganta, Karnplay, Saclepea, Garplay, Tappita and Sanniqueulle Women Action group

Montserrado Women action groups:

Barnesville, Chocolate City, Bushrod Island, Morris' farm, West Point, Slip Way, Chicken Soup Factory, Matadi and Diaque's Town

**4. Medica Mondiale**

Grand Gedeh, Sinoe, and River Gee Counties

**Section B: FGD**

| County   | Group   | Date  | Attendees |           |           |
|--|---|---|-----------|-----------|-----------|
|  |   |   | Females   | Males     | Total     |
| <b>Grand Gedeh County,</b><br><i>Zwedru</i>                    | Men, women, religious (Christian and Muslim), youth, traditional leaders<br><br>Local authorities | 14 <sup>th</sup> - 16 <sup>th</sup> June 2013 | <b>25</b> | <b>35</b> | <b>60</b> |
| <b>Lofa County,</b><br><i>Mongolahun, Kolahun and Voinjama</i> | Men, women, religious (Christian and Muslim), youth, traditional leaders<br><br>Local authorities | 17 <sup>th</sup> - 19 <sup>th</sup> June 2013 | <b>37</b> | <b>23</b> | <b>60</b> |

|   |  |   |                   |                   |                    |
|---|--|---|-------------------|-------------------|--------------------|
| <p><b>Grand Cape Mount, Robertsport</b></p> | <p>Men, women, religious (Christian and Muslim), youth, traditional leaders<br/><br/>Local authorities</p> | <p>20<sup>th</sup> – 22<sup>nd</sup> 2013</p> | <p><b>33</b></p>  | <p><b>.27</b></p> | <p><b>.60</b></p>  |
|   |  |   | <p><b>.95</b></p> | <p><b>.85</b></p> | <p><b>.180</b></p> |

## Annex B: Facilitators

### Facilitators: MOGD

Assistant Minister Meima Kanneh  
Viligeh: GBV UNIT MOGD  
Rubylene Brown GBV UNIT MOGD  
Timothy Paulus -National Manager GBV JP

### Facilitators for Kvinna till Kvinna

Timothy Paulus- National Manager GBV JP  
Musu Kasselie Dikenah Program Officer KtK

### Facilitators for IRC

Rachel Jackson – Sr. Case Management Officer – Women’s Protection and Empowerment Program IRC  
Anita Tokpa Monger – Sr. Case management officer, Women’s Protection and Empowerment – International rescue Committee.

### Facilitators: Medica Mondiale

Facilitator: Atty. Alice Kenkpen-Sirleaf  
Co-Facilitators: Elizabeth Green (National Trainer), Veronica Marshall (Psychosocial Counsellor), Theresa Toe (District Counsellor), Naomi Johnson (Reproductive Health Trainer)

---

## Facilitators for FGD and Regional Consultations ( section B)

**Mr. Joseph Monibah** Human Right Division of Ministry of Gender and Development

Member from Human Right Division of the Ministry of Justice,

### IRC

**Mohamed A. Sheriff Esq EHUD**

---

## Annex C : Tools

### FGD Tool

#### 1) What do you consider as domestic violence?

---

---

---

---

#### 2) What are the forms of domestic violence in your community? Why is there DV?

---

---

---

---

---

#### 3. When these things happen in a community what actions are taken to address them?

- i. Who do survivors go for help?
- ii. What the available services in your community to help survivors?
- iii. What are the traditional and formal ( Police, court) structures available in your community to respond to DV survivors?
- iv. Probe question: where are cases most commonly reported?

---

---

---

---

#### 4. Do you think you are actually protected with the current mechanisms in place? **Formal/traditional** (*Women and Children Protection Unit at the police, hotline at sex crime unit, Rape law, Criminal court E etc...*)

---

---

---

---

**5.** In your experience, what obstacles exist to the primary prevention of domestic violence?

- I. What do you think is the most effective way to overcome these obstacles?
- II. What do you propose must be done?

---

---

---

---

**6. How do think DV can be prevented? Make suggestions**

---

---

---

---

---

**DOMESTIC VIOLENCE LAW**

**KEY INFORMANT INTERVIEW**

*The Ministries of Justice and Gender & Development; with the support of Sweden and UNFPA and in collaboration with GBV taskforce in Liberia is in the process of drafting a DOMESTIC VIOLENCE LAW for Liberia. A draft law has been drafted through an extensive consultative process; we are seeking further inputs from key informants from different counties as this will be a key instrument in the protection of women, men and children in a domestic setting.*

Do you have any questions before we begin?

- I. What is domestic violence?
- II. In your opinion are women and girls especially in a serious problem?
- III. What do you think are the causes of these problems in your society/community?
- IV. How does your community manage these issues?
- V. Do you think the current measures taken are enough to deter domestic violence Yes/No (*Explain in each case*)
- VI. Is there anything else you think we need to know?

**V11. What is your view/inputs on the recommendations:**

---

**The Mandate of the Ministry of Gender and Development**

**Victims of Domestic Violence Support Fund**

Date: \_\_\_\_\_

Location: \_\_\_\_\_

Kind of  
informant: \_\_\_\_\_  
\_\_\_\_\_

Thank you for your time!

---

**Facilitator Guide:**

**1. What is domestic relationship? As defined in the draft LAW**

**Facilitators notes: first ask the group what they understand by domestic relation/family relation in a home. Once they have listed them out you can tell them what has been included and ask them if they agree to them. Record those that have not be defined under the draft law.....**

” means a family relationship, a relationship similar to a family relationship or a relationship in a domestic/ house/home situation that exists or has existed between you and the person who has abused you”

- (a) is or has been married to the abuser including a marriage in accordance with any law, custom or religion;
- (b) lives with the abuser in a relationship in the nature of a marriage, it also includes those that are not, were not married to each other or could not or cannot be married to each other;
- (c) is engaged to the abuser, courting the abuser or in an actual or perceived romantic, intimate or cordial relationship not necessarily including a sexual relationship with the abuser;
- (d) and the abuser are parents of a child, are expecting a child together or are foster parents or adoptive parents to a child excluding:
  - (i) where the child is conceived as a result of rape; or
  - (ii) where the parties contributed genes for artificial insemination, *in Vitro* fertilization or similar fertilization techniques, but have no other relationship;
- (e) and the abuser are family members related by, affinity or **adoption**, or would be so related if they are **married either customarily or under any law**, or were able to be married, or if they were living together as spouses although they are not married;
- (f) and the abuser share or shared the same residence or are co-tenants, or is or was financially dependent on the other;

- 
- (g) is a parent, an elderly blood relative, or is an elderly person who is by law a relative of the abuser;
- (h) is a house-help in the household of the abuser;
- (i) lives in or attends a public or private care institution and is under the care and control of the abuser; and
- (j) “guardian” means a person who has custody or control of a child whether by operation of law, tradition or otherwise;
- (k) is in a relationship determined by the court to be a domestic relationship

### Who is a Relative?

"relative" in relation to a person, means:

- (a) the father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, grandmother, grandfather, grandson or granddaughter of that person or of that person’s spouse or former spouse, or
- (b) the brother , sister, uncle, aunt, niece or nephew (whether of the full blood or of the half blood or by affinity) of that person or of that person’s spouse or former spouse, and includes, in relation to a person who is living or has lived with another person as husband and wife, any person if they were married to each other;

## 2. What is domestic Violence?

**Facilitators notes: Ask the group what they understand by domestic violence. Always mention it has to be within the home and not violence in the community. Once the participants have listed the forms as experienced by their communities you could mention some of the forms that may not be mentioned by them... for example sassyhood, trail by ordeal, forced FGM before 18 years, forced marriage etc... ask them if these are also forms of violence**

The forms of domestic violence include, but are not limited to:

(a) “physical abuse,” meaning any act or threatened act of physical violence to a person, physical violence being any behavior that violates a person’s bodily integrity or health; and

(b) “emotional, verbal and psychological abuse,” meaning a pattern of degrading or humiliating conduct towards a person including any behavior that causes emotional damage controlling behavior, embarrassment, humiliation, manipulation, isolation, constant surveillance, constant pursuit, insult, intimidations, blackmail, ridiculing, exploitation and limitation of the rights to come and go, repeated exhibition of obsessive possessiveness or jealousy, invading a person’s privacy, liberty, integrity or security, or any other acts that cause damage to the person’s psychological health and self-determination, or any series of acts which collectively cause a person to fear for his or her safety and life;

(c) “economic abuse,” means the depriving the person of economic or financial resources to which a person is entitled under the law or which a person requires out of necessity, for example not paying for household goods, rent, or damaging property owned by a person within a domestic relationship or personal belongings, or inflicting harm to animals or pet of such person;

(d) “Sexual abuse,” means any conduct that abuses, humiliates, degrades the sexual integrity of the person; including any act or threatened act of sexual violence, forcing a person to witness, maintain or participate in unwanted sexual intercourse by means of force, threat, coercion or the use of force, forcing the person to commercialize or to use, in any way, his or her sexuality, or that forces a person to marry, to become pregnant, to have an abortion or to engage in prostitution through coercion, blackmail, bribe, manipulation, intimidation or other illegal means, and confining or detaining a person against their will; and

(a) preventing the person from engaging in any legitimate profession, occupation, business or activity.

(b) depriving the person of the right to the use property owned in common

(e) harassment;

(f) dowry-related violence,

(c) female genital mutilation performed on a person under the age of eighteen (18) or a person eighteen (18) years old or over without their consent;

(d) subjected to certain forms of cultural torture, prohibited “sassy wood” as defined in local government rules and regulations, or other trial by ordeal

### 3. What do you do when Domestic Violence happens/reported in your community?

---

**Facilitators notes: this question is aimed at understanding available mechanisms in the community, who are the people who facilitate these discussions/compromises/solutions in the community, what happens of the domestic violence results in physical injury... who takes decisions on who to go to?**

**4. What should be done once there is a law?**

**Facilitators notes: this is to ensure there is follow plan once the law is passed.**

**5. Any other questions as decided by the facilitator....**