



# Handbook on Victim Assistance





# **Handbook on Victim Assistance**

Women In Need

2020

*Technical Assistance: The Asia Foundation*

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First Edition

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ISBN 978-955-0168-57-6

## **Technical support:**

Dr. Ramani Jayasundere	Director, Justice and Gender, The Asia Foundation
Evangeline de Silva	Program Manager, Justice and Gender, The Asia Foundation
Bavani Edirisooriya	Program Assistant, Justice and Gender, The Asia Foundation

## **Advisory support and facilitation:**

Udeni Thewarapperuma	Consultant, The Asia Foundation
Kumari Idamegama	Senior Program Officer, The Asia Foundation

## **Compilation of the Handbook:**

Indika Dayarathna	Advisor and Trainer, Gender Equality
Translation and proofreading	Subhashini Weerakkody and Ashvini Subasinghe

# Foreword

Women In Need (WIN) is a non-governmental organization that has been working at the national level for over 30 years and has expanded its operations to the districts of Colombo, Matara, Badulla, Anuradhapura, Batticaloa and Jaffna. WIN should be commended for successfully assisting women who have faced sexual and gender-based violence through their counselling, legal, referral, shelter and follow up services as well as the research, advocacy and lobbying they conduct to counter sexual and gender-based violence in various parts of the country. I believe that the secret behind the success of this long term and continuous service delivery, is that WIN acts not merely as a social welfare service but with a humanitarian responsibility towards the rights of women who have been subjected to gender-based violence.

The intention of compiling this handbook is to further strengthen the service delivery process of the organization to provide more efficient and victim-centered services to victims of domestic, sexual and gender-based violence. For this purpose, the views of WIN's well experienced staff were captured and consolidated through a consultative process facilitated by The Asia Foundation and with financial support from the European Union. District level discussions were held with all staff from each field office prior to bringing together over 80 staff at a two-day residential workshop to gather information and experiences to be incorporated to this handbook. This handbook is also intended to encourage staff, to identify new trends and mechanisms to coordinate essential services for the benefit of victims of sexual violence.

This handbook was developed to act as a simple reference and guide document for individuals and service providers engaged within the process of assisting victims of domestic, sexual and gender-based violence. The handbook can also be used by victims of such violence as a document for self-learning in order to make informed and independent decisions for their own empowerment.

I would like to take this opportunity to express my heartfelt gratitude to the Executive Director, Ms. Savithri Wijesekera and the entire management and staff of Women In Need for their contribution to the development of this handbook and wish them strength and success to carry out their future work.

**Dr. Ramani Jayasundere**  
Director, Justice and Gender  
The Asia Foundation

October 4, 2019

# **Who is this handbook intended for?**

This handbook is mainly intended for staff and representatives of Women in Need (WIN), as well as other service providers dedicated to addressing issues relating to domestic, sexual and gender-based violence, including violence perpetrated through the use of modern digital communication technology, faced by women and girls across Sri Lanka. It is intended as a guideline for those providing victim-centric counselling and legal assistance to victims of abuse and violence.

## **The user of this handbook could be:**

- .. persons providing services to victims on behalf of WIN
- .. current clients of WIN
- .. persons working with WIN on request of the victim
- .. persons serving victims in collaboration with WIN

## **Why was this handbook compiled?**

This handbook was compiled as a guide for assisting victim survivors of domestic, sexual, and gender-based violence. Victims of such violence undergo many challenges as a result of the violence they face, including financial and psychological difficulties; and need appropriate and adequate information along with practical and emotional support. Victim survivors who may have economic hardships, physical or mental disabilities (special needs), migrants and those who face other vulnerabilities, may face further challenges as a result of the violence they face. Experiencing sexual violence can further affect a victim's basic, financial and practical needs.

When assisting victim survivors of sexual and gender-based violence, it is important to understand and respect their cultural and religious background, educational and economic status, family background and any other differences. This guide may also assist you to deal with various types of victim survivors of sexual and gender-based violence.

Your main aim should be to assist your clients in choosing their path and directing them towards systems and services of justice and medical/ health care that they need in order to enjoy their basic human rights and restore their dignity. Research and experience show that victims need well-coordinated response services including access to information, due respect and assistance in their quest for justice.

While this handbook briefly addresses aspects such as functions, duties, responsibility, values and principles to guide a service provider, it is not intended as a stand-alone guide for such a service provider. This handbook was compiled through consolidating the experiences of staff of WIN through discussions conducted in 2019 as well as a special two-day consultative residential workshop. As staff experience revealed, that most violence faced by women and girls is related to domestic and sexual violence, you may notice that the handbook itself deals more with these issues.

**This handbook consists of two sections:**

- Section 1: Context of violence: Nature, characteristics and social context
- Section 2: Principles and values of a victim-centered approach to service delivery



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## SECTION 1

# CONTEXT OF VIOLENCE: NATURE, CHARACTERISTICS AND SOCIAL CONTEXT

## 1. TYPES OF GENDER-BASED VIOLENCE

### Sexual violence

Any form of nonconsensual/forced contact that is sexual in nature (including physical, social, psychological and emotional) can be considered as sexual violence. This could include unwanted or forceful sexual touching, kissing, sexual bullying or joking, rape, sexual abuse, unsolicited sexual advances and threats from a husband or other intimate partners. Sexual violence can be perpetrated by a spouse or intimate partner and even strangers. While some sexual violence may lead to physical injuries if the perpetrator uses force, this is not always the case. The psychological effects of sexual violence may often stay with victims far longer than any physical harm would.

Characteristics of sexual violence:

- .. different from physical assault or harassment
- .. can be as brutal as physical assault
- .. more severe than non-sexual acts of violence
- .. usually gender-based in nature
- .. goes against basic human decency
- .. perpetrators do not believe in gender equality
- .. perpetrated mostly by males against females
- .. could be directed at homosexual or transgender people

## **Physical violence**

This includes acts of force and violence that is not sexual in nature. These acts often lead to physical hurt and suffering and in extreme cases, can even lead to death. A few examples of physical violence include assault, strangulation, acid attacks, burning, biting, slapping, pulling by the hair, slicing and shooting. However, the range of acts that can be considered as physical violence extends much further than these examples.

## **Psychological and emotional violence**

Psychological violence can be inflicted in various ways including physically, sexually, verbally or nonverbally. In most (but not all) cases, the perpetrator is a spouse, an intimate partner, or an authoritative figure. Some examples include causing fear by intimidation, threatening physical harm, forcing isolation from friends, family, school and/or work; undermining a person's sense of self-worth through constant criticism, name-calling or other verbal abuse.

## **Social and economic violence**

This type of violence is categorized as non-physical violence and is usually committed by family members, community members or institutional heads. Examples for social violence include discriminatory laws and policies and deprivation of a social and community and access to public resources like education and health care. Economic violence involves making or attempting to make a person financially dependent on the perpetrator by depriving income and earnings, restricting access to financial services and to rights including the right to possess assets and property and employment opportunities.

## **Intimate partner violence / domestic violence**

Sexual and physical violence often takes place within intimate relationships and can vary from psychological and emotional violence to physical violence from slapping, rough sexual intercourse, grievous assault, rape (including marital rape), and even homicide. However, when reporting to the police, health sector or WIN, victims tend to report only physical violence but are ashamed disclose sexual violence. Police records are therefore often inaccurate since most sexual violence incidents go unrecorded due to the reluctance of victims to reveal the truth.

## **2. WHO ARE VICTIMS OF SEXUAL VIOLENCE?**

Most often, victims of sexual abuse are women and girls. As such, the ‘victim’ in this handbook refers to women in general. However, this does not mean that men and children do not experience sexual abuse, as there are many cases where male children are also victimized.

That being said, the majority of victims who seek assistance from WIN are young or middle-aged women. Medical and legal records along with personal stories of victims who have reached out to WIN for assistance also show that these victims represent a wide cross-section of society and include lesbian/ homosexual women, transgender people, disabled women and women who have been abused within their marriage and women and girls who are targeted online. Victims of abuse and violence also exist across all socio-economic strata.

### **3. SOCIAL BELIEFS ON VIOLENCE AGAINST WOMEN**

It is important to understand the social context and beliefs around violence against women to understand its nature and spread in various societies. One of the main issues that contributes to violence against women is the historical existence of unequal power relations between men and women. This is further exacerbated by factors such as age, class, disability, sexual orientation, poverty and other factors that force women's dependency on men and make them further vulnerable to violence including sexual violence.

#### **Sex-role stereotyping of women**

A driving factor that causes sexual and gender-based violence against women could be sex-role stereotyping of women. Such stereotypes could include the belief that:

- .. Women have a weak socio-economic status
- .. Women must be under male authority in all aspects
- .. Men have a 'right' to use violence against women when their authority is threatened, and this violence is justified

Unfortunately, these stereotypes may lead to the following social and gender interactions:

- .. Woman playing a submissive role
- .. Women accepting the dominant nature of men
- .. Woman remaining dependent on men
- .. Societal belief that women provoke men by the way they dress, talk and behave

- .. And the baseless belief that men become ‘sexually attracted’ and cannot control themselves and their tendencies as a result

These types of gender stereotypes will affect women and men in and outside of their marriage and prevent them from leading a fulfilling sexual and social life.

### **Victim blaming**

Although voluntary consent is required by law in regard to any act of sex, there exists a false notion that victims of sexual abuse are those who have brought it upon themselves. There is a false belief that the ‘good’ women are not abused sexually and those women who are sexually abused must have ‘asked for it’. Social reasoning and justification for this could include:

- .. Being at the wrong place at the wrong time (nighttime)
- .. Dressing provocatively
- .. Being alone at night
- .. Excessive use of make-up
- .. Poor judgment
- .. ‘Inappropriate’ behavior (flirting, getting into vehicles with strangers, going clubbing, consuming liquor)
- .. Previously being involved in consensual sex
- .. Meeting someone without parental permission

These false beliefs could cause victims to blame themselves for the abuse that they experience and in turn, may lead to the victim tolerating the incident rather than reporting it.

## **4. IMPACT OF VIOLENCE**

### **Impact on women in general**

Sexual violence and violence against women is often gender-based while affecting the life of more women than men. When such violence is present in society, there is always a negative impact on women that will in turn restrict the equal participation of women in society, restrict their freedom of movement and curtail their economic opportunities. Furthermore, the constant fear of being abused will influence women's social behavior, the way they choose to dress, their relationships with men, their decisions in the domestic front as well as their likelihood to use public transport and common facilities and partake in other social events.

### **Impact on the victims**

The impact of abuse on a victim will vary depending on various factors including her relationship with her family, friends and other support systems, the socio-cultural environment she was brought up around and her age. However, such violence will have an adverse effect on her physical and psychological health, her self-worth and dignity and her relationship with her family, friends and others. It will also have an impact on her daily life and her ability to make decisions which may cause her to develop a dependent mindset.

### **Impact on the victim's family and friends**

Abuse faced by a victim will also affect her family, children and friends and they may also need to seek help and assistance to deal with the effects of violence. Anger, helplessness, trauma,



fear, distrust and guilt are a few of the many emotions the family and friends of the victim may experience. These emotions could be greater felt in conventional families, where reporting abuse is considered as something that brings disrepute to their family. Seeing what a victim of abuse goes through could have a considerable negative impact on the people around her.

## **5. SECONDARY VICTIMIZATION**

Secondary victimization occurs when the victim's family, friends, service providers or the criminal justice system fail to effectively respond to the violence she has faced. Examples of secondary victimization include:

- .. Lack of adequate information.
- .. Injustice due to the lack of access to information.
- .. Lack of protective measures.
- .. Lack of concern by the police and the courts.
- .. Consequences faced by the victim due to inordinate delays in the judicial system.
- .. Inadequate involvement from relevant stakeholders and the systems in which they operate.
- .. Loss of income or occupation due to the effects of the violence they face.
- .. Persistent interrogation by the police on personal matters or insisting upon medical or judicial medical investigations regarding the abuse.

These reasons can affect the victim's self-worth and dignity. Accusing, blaming or isolating the victim by her family, friends and society will further increase her vulnerability.

## SECTION 2

# PRINCIPLES AND VALUES OF A VICTIM-CENTERED APPROACH TO SERVICE DELIVERY

## 1. WHAT DO VICTIMS WANT?

The following four themes are important and necessary when responding to women who have faced abuse:

1. Maintaining a victim-centered approach
2. Delivering the best available services to the victim
3. Providing a high-quality response
4. Responding in a way that makes the victim feel heard

A service provider's response should, therefore, be swift, informative and respectful.

The following is a summary of what the victims will expect:

- .. **Protecting the victim from further violence** - The protection of the victim is of vital importance. If the perpetrator was a person of power, the safety planning measures and continuing threats against the victim should be assessed carefully. The victim's immediate surrounding environment should also be taken into consideration when planning safety measures.
- .. **Involving the victim in the decision-making process**
  - Make sure to carefully consult the victim to understand

her views and ensure they are integrated into whatever decisions are being made on her behalf.

- .. Treating the victim with respect** - It is important to validate the victim's experience of the violence she has faced and help her feel confident and empowered to make future decisions regarding her life and wellbeing. Confidentiality is also an essential part of treating victims with respect.
- .. Providing practical, accurate, and detailed information**
  - Take measures to provide timely information using simple language void of technical and legal jargon. The victim will need to have clear information and guidance on the system and process she will have to navigate in order to get relief and justice, for example, filing a case, gathering evidence, seeking medical assistance, going to court, accessing resources and other referrals.
- .. Providing a timely response** - In order to receive proper administration of the justice system and to ensure the safety of the victim, it is important for the police and other service providers to respond swiftly and refer the victim to medical services, judicial process and other assistive services.
- .. Ensuring better access to resources** - The service providers should be knowledgeable what community services that are available to victims. This could be in the form of information, shelter, support groups and such other services.
- ..Assisting throughout the legal procedure** - A victim needs assistance in representation as well as emotional and pragmatic support at every stage of the court case /

trial (pre-trial and post-trial included). If the victim does not have access to the services she needs or if the existing system does not work for the benefit of the victim, then she should seek the assistance of an Attorney-at-Law.

- .. **Providing culturally appropriate services** - Pressures and issues differ depending on cultures. Therefore, cultural sensitivity should be taken into account along with native language when providing services to victims.
- .. **Providing services that are sensitive to special needs of victims** - The services should cover an expanse of beneficiaries including those who are disabled, adolescents, adults, homosexuals, trans gender people, rural women, isolated women and sex workers. Sensitivity towards them and their unique circumstances is a fundamental requirement and is expected by the victims.
- .. **Ensuring the continued safety and security of the victim** - It is important to ensure that victims who are subjected to violence feel protected. In order to assist victims, the community service providers need to be aware of the following resources; centers for women, counsellors to talk to, programs on self-defense, household safety and prevention of crime.
- .. **Following up with the victim** - It is important for service providers to constantly follow up on the progress of victims and to monitor the status of the perpetrators. In the event that a perpetrator is to be released, the victim should be informed of the date and conditions in which they are being released.

## **2. BELIEFS AND VALUES OF SERVICE PROVIDERS**

In the event an effort made to assist a victim is unsuccessful, service providers may blame the victim. A woman who is subjected to violence often blames herself and so it is important to support her despite the choices she has made. In order to provide productive emotional support to a victim, it is of utmost significance for a person who works as a service provider to do a self-assessment of their own beliefs and values.

The following are expected from service providers who engage in delivering services to victims of sexual and gender-based violence:

- .. Avoid arriving at presumptions
- .. Safeguard victim confidentiality
- .. Be reliable
- .. Ensure equal treatment
- .. Make a genuine effort to resolve the victim's issue
- .. Respect the rights of the victim
- .. Be sensitive towards victims and their needs
- .. Respect without any boundaries
- .. Be flexible in your approach
- .. Prevent psychologically isolating the victim

Given below is a list of beliefs and values that can be used in order to maintain a productive and positive relationship with victims:

- .. Sexual harassment should not be blamed on the behavior of a woman. No woman should be subjected to sexual abuse.

- .. Women never ask for sexual abuse as it does not provide any satisfaction.
- .. There are multiple reasons for why women remain in violent relationships. The beliefs reflect societal views such as that men are dominant in the workforce, the belief that woman should not defy the authority of their spouse/boyfriend and the belief that life lacks purpose without a male are a few of the reasons.
- .. The needs and expectations of women depend on the family and community they live in. It is important to understand this and to respect their experience in order to provide a productive service.
- .. In most cultures, coexistence within a family takes priority over individual freedom. Service providers should be aware, understanding and sensitive towards these values.

### **3. PRINCIPLES RELATING TO A VICTIM-CENTERED APPROACH**

#### **PRINCIPLES**

The following interlinked principles should underpin the delivery of all essential services and the coordination of those services:

- ✓ A rights-based approach
- ✓ Advance gender equality and women's empowerment
- ✓ Culturally and age-appropriate, and sensitive
- ✓ Victim/survivor centered
- ✓ Ensure safety
- ✓ Ensure perpetrator accountability

## **A rights-based approach**

Rights-based approaches when delivering quality essential services, recognizes that States have a primary responsibility to respect, protect, and fulfill the rights of women and girls. Violence against women and girls is a fundamental breach of their human rights, particularly the right to a life free from fear and violence. A human rights approach calls for services that prioritize the safety and well-being of women and girls while treating them with dignity, respect and sensitivity. High standards of health, social, justice and policing services are also vital.

## **Advance gender equality and women's empowerment**

The centrality of gender inequality and discrimination, as both a root cause and a consequence of violence against women and girls, requires that services ensure gender-sensitive and responsive policies and that practices are in place. Services must ensure that violence against women and girls will not be condoned, tolerated or perpetuated. Services must promote women's agency where women and girls are entitled to make their own decisions, including refusing essential services.

## **Culturally and age-appropriate, and sensitive**

Culturally and age-appropriate, and sensitive essential services must respond to the individual circumstances and life experiences of women and girls while taking into account their age, identity, culture, sexual orientation, gender identity, ethnicity and language preferences. It must also respond appropriately to women and girls who face multiple forms of discrimination - not only because she is a woman, but also because of her race, ethnicity, caste, sexual orientation, religion, disability, marital

status, occupation or other characteristics such as being subjected to violence.

### **Victim/survivor-centered**

Victim/survivor-centered approaches place the rights, needs and desires of women and girls as the center of focus of service delivery. It also requires consideration of the multiple needs of victims and survivors, the various risks and vulnerabilities, the impact of decisions and action taken, and ensure that services are tailored to the unique requirements of each individual woman and girl as they should respond to her wishes.

### **Ensure safety**

The safety of women and girls is paramount when delivering quality services. Essential services must prioritize the safety and security of service users and avoid causing them any further harm.

### **Ensure perpetrator accountability**

Perpetrator accountability requires essential services to effectively hold the perpetrators accountable and ensure fairness in justice responses where appropriate. Essential services need to support and facilitate the victim/survivor's participation with the justice process, promote her capacity of acting or exerting her agency, while ensuring that the burden or onus of seeking justice is not placed on her but on the state.



## **COMMON CHARACTERISTICS OF QUALITY ESSENTIAL SERVICES**

Essential services share a range of common characteristics described below. These are applicable regardless of the specific ‘sector’ that may be responding to women and girls experiencing violence.

- ✓. Available
- ✓. Accessible
- ✓. Adaptable
- ✓. Appropriate
- ✓. Prioritize safety
- ✓. Confidential and ensure informed consent
- ✓. Data collection and information management
- ✓. Interlinked and coordinated

### **Available**

Essential health care, social services, justice and policing services must be available in sufficient quantities and with quality to all victims and survivors of violence regardless of her place of residence, nationality, ethnicity, caste, class, migrant or refugee status, indigenous status, age, religion, language and level of literacy, sexual orientation, marital status, disabilities or any other characteristic.

#### ***Guidelines***

- .. Service delivery must be created, maintained and developed in a way that guarantees women and girl’s access to comprehensive services without

discrimination in any region of the country, including remote, rural and isolated areas.

- .. Services should be delivered to reach all populations, including the most excluded, remote, vulnerable and marginalized without any form of discrimination regardless of their individual circumstances and life experiences of women and girls.
- .. Service delivery should be organized to provide women and girls with continuity of care across the network of services and over their entire life
- .. Consider innovative service delivery to broaden coverage through mobile health clinics and courts, the creative use of modern IT solutions when feasible.

## **Accessible**

Services should be accessible to all women and girls without discrimination. They must be physically accessible (within safe physical reach to all women and girls including those with disabilities), economically accessible (affordable) and linguistically accessible (information should be provided in various formats and in local languages).

### ***Guidelines***

- .. Women and girls should be able to access services without undue financial or administrative burden. This means services should be affordable, administratively easy to access, and in certain

cases, such as with the police, emergency health and social services should be free of charge.

- .. Services must also consider the language needs of the user.
- .. Service delivery procedures and other information about essential services should be available in multiple formats (oral, written, electronically) and should be user-friendly and in simple language to maximize access and meet the needs of different target groups.

## **Adaptable**

Essential services must recognize the differential impacts of violence on different groups of women and communities. They must respond to the needs of victims and survivors in ways that integrate human rights and culturally sensitive principles.

### *Guidelines*

- .. Services should understand and respond to the individual circumstances and needs of each victim/survivor.
- .. A comprehensive range of services should be provided to allow women and girls to have options to services that best meet their individual circumstances.

## **Appropriate**

Appropriate essential services for women and girls are those which are delivered in a way that is agreeable to her, respects her

dignity, guarantees her confidentiality, is sensitive to her needs and perspectives, and minimizes secondary victimization. Where appropriate, consultation and participation by stakeholders should be considered in design, implementation, and assessment of services.

### ***Guidelines***

- .. Effort must be made to reduce secondary victimization, for example, minimize the number of times she has to relate her story, the number of people she must deal with, and ensure trained personnel are available.
- .. Women and girls should be supported to fully understand their options.
- .. Women and girls should be empowered to feel able to help themselves and to ask for help and their decisions should be respected upon ensuring she fully understands the options available to her.
- .. Services should be delivered in a way that responds to her needs and concerns without intruding on her autonomy.

### **Prioritize safety**

Women and girls face many risks to their immediate and ongoing safety. These risks will be specific to the individual circumstances of each woman or girl. Risk assessment and management can reduce the level of risk. Best practices of risk assessment and management include consistent and coordinated approaches within and between the social, health, police and justice sectors.

## ***Guidelines***

- .. Services should use risk assessment and management tools specifically developed for responding to intimate partner violence and non-partner sexual violence.
- .. Services should regularly and consistently assess the individual risks for each woman and girl.
- .. Services should use a range of risk management options, solutions and safety measures to support the safety of women and girls.
- .. Service providers should ensure that women and girls receive a strengths-based, individualized plan that includes strategies for risk management.
- .. Services must work with all agencies including health, social services, justice and policing services to coordinate risk assessment and management approaches.

## **Confidential and ensure informed consent**

All essential services must be delivered in a way that protects the woman or girls' privacy, guarantees her confidentiality, and discloses information only with her informed consent, whenever possible. Information about the woman's experience of violence is often sensitive and sharing this information inappropriately can have serious and potentially life-threatening consequences for the victim and for the people providing assistance to her.

## ***Guidelines***

- .. Services should have a code of ethics for the exchange of information (in accordance with existing legislation), including what information will be shared, how it will be shared and who it will be shared with.
- .. Service providers working directly with women and girls should be informed about and comply with the code of ethics.
- .. Information relating to individual women and girls should be treated with confidentiality and stored securely.
- .. Women and girls should be supported so that they fully understand their options and the implications of disclosure.
- .. Service providers should understand and comply with their responsibilities with respect to confidentiality.

## **Data collection and information management**

The consistent and accurate collection of data regarding the services provided to women and girls is important in supporting the continuous improvement of these services. They must have clear and documented processes for the accurate recording and confidential, secure, storage of information about women and girls, and the services provided to them.

## ***Guidelines***

- .. Ensure there is a documented and secure system for the collection, recording and storing of all information and data.
- .. All information about women and girls who are accessing services should be stored securely including client files, legal and medical reports, and safety plans.
- .. Ensure accurate data collection by supporting staff to understand and use the data collection systems and providing them with adequate time to enter data in data collection systems.
- .. Ensure data is only shared using agreed protocols between organizations.
- .. Promote the analysis of data collection to assist in understanding the prevalence of violence, trends in using the essential services, evaluation of existing services and providing prevention measures.

## **Interlinked and coordinated**

Linking with other sectors and agencies through coordination, such as referral pathways, assist women and girls in receiving timely and appropriate services. Referral processes must incorporate standards for informed consent. To ensure the smooth navigation of the different essential services for victims and survivors, protocols and agreements about the referral process with relevant social, health and justice services, including clear responsibilities of each service, need to be in place.

### ***Guidelines***

- .. Procedures between services for information sharing and referrals should be consistent, known by agency staff, and communicated clearly to women and girls.
- .. Services should have mechanisms for coordinating and monitoring the effectiveness of referrals processes.
- .. Services should refer to child-specific services as required and appropriate.

## **4. FUNCTIONS OF THE SERVICE PROVIDER**

The service providers should ensure that they provide supportive services and proper information to women and girls who are subjected to violence by working in close association with community representative institutions and partners in justice. They should be given proper information and assistance prior to accessing the criminal justice system and until the process is concluded. A victim may need information and assistance to even make a decision to step into a hospital or a police station.

Victims must not be discriminated based on their place of residence, nationality, ethnicity, caste, class, migrant or refugee status, indigenous status, age, religion, language and level of literacy, sexual orientation, marital status, disabilities or any other characteristic. A service provider must be mindful of and ensure the following:

- .. Adequate recognition towards the victim
- .. Being respectful



- .. Ensuring cooperation and support
- .. Provide proper information and advice
- .. Swiftly carryout referrals

It is important to provide victims with the opportunity to freely express their feelings and to be respectful towards them. Depriving a victim of the opportunity to speak and express herself the way she feels comfortable could have a negative impact on the way in which she will deal with the whole redressal process. Treating victims with respect and sensitivity may gradually build the victim's confidence in others and most importantly, be the first steps towards building self-confidence.

A victim expects a service provider who can communicate in her mother tongue when disclosing her experience on the violence she has faced. When the service provider acts with sensitivity the victim will gain confidence in the services provided and she will cooperate without being awkward or nervous.

A service provider is vested with the important function of making the victim think positively about the justice, medical and other service systems. In order to achieve that, the service provider should build a rapport and be familiar with the role played by people engaged in the legal, medical and social services as well as members of community representative institutions and groups. Building a rapport with them will enable the service providers to avail an efficient and productive service to the victim.

Since the issues that are brought up before the service providers are complex, it is important for service providers to be well trained. Those who are not trained should be humble and honest and refer victims to experienced counsellors.

## **Basic functions of service providers:**

- .. Informing victims on the criminal justice system
- .. Providing guidance as well as emotional and practical support throughout the entire process
- .. Providing information and assistance regarding medical check-ups and related services
- .. Assisting in developing protective measures and prevention strategies
- .. Preparation of victims for the judicial experience
- .. Assisting victims of crime in producing victim statements and filling relevant applications to apply for aid and assistance
- .. Accompanying the victim to calling dates and other court-related matters whenever possible
- .. Fulfilling special needs of various victims including language interpretation, culturally specific services, and assisting access and communication of victims who are differently abled
- .. Providing child protection care and transport
- .. Communicating and coordinating with community-based service providers as appropriate and needed
- .. Referring victims to specific services that can assist in the recovery from psychological and physical trauma
- .. Following up on assistance given as it can facilitate empowerment and reintegration of victims
- .. Providing services that do not endanger and threaten the safety of the victim or affect the confidentiality of the victim

## **Initial connection:**

Your initial introduction to and communication with the victim may take place in different forms. One of the most common ways this could happen is through a telephone conversation. The victim may have found the contact number of your organization on her own, through a referral or through the police station in which the complaint was. It is important that you carefully listen to her story and inquire as to what her needs are, whether she was subjected to violence, and if she needs any urgent medical treatment. It is important to avoid questioning her on the incident or taking a legal line of questioning at this point. You need to provide the victim with immediate emotional support. Indicate to the victim that you trust her. Do not try to explain the situation she is into her unless she is not aware of her situation.

If you are connected with such a victim for the first time, you could ask the following:

- .. Are you still in danger? (If you feel that she is in a dangerous situation, you should inform the police regardless of what she says)
- .. Are you in a safe location?
- .. Do you think that you need medical treatment?
- .. Do you need to visit a hospital?
- .. Would you like to briefly explain what happened?
- .. Would you like to explain how you feel?
- .. Do you need a service provider or any other person to accompany you to the police station or the hospital?
- .. Would it be possible to question you at the hospital or the police station?

## **Reflect on the following after listening to her responses:**

- .. Why did she speak to us?
- .. What does she need?
- .. How does she feel about the situation?
- .. Is she in shock?

If you feel it is appropriate to immediately remove the victim from the place she is in, get the assistance of the police. First inform your name and a short description of yourself. Get the name, address and telephone number of the victim and coordinate with her in order to find her a safe place until the police and/or you arrive.

Explain why she should refrain from taking a bath, washing her face or body, and changing clothes before going to the police station or the hospital. (Try to observe the same whether the victim approaches you through a third party or meets you in person).

## **Ensure physical safety:**

Regardless of how the victim approaches you, your first instinct should be to ensure her physical safety. If she is in danger, immediately inform the police and get her consent to provide her details to the police. If the victim is alone, inquire whether she would like to be accompanied by a friend or a family member. If she is being provided with translation support, ensure that the translator is unbiased and trustworthy.

Take into consideration whether the victim has children and act accordingly by providing her with maximum support with the available resources. Inform her on the additional services that are available for her convenience.

## **Planning victim's safety:**

Another important function in assisting a victim is to identify any potential risks and present alternatives as well as strategies for the victim to minimize or eliminate these risks. However, be mindful of the fact that the protective measures of women are subject to constant change. (For example, in the event the victim is an expectant mother, a disabled person/ person with special needs).

Your response on the victim's safety plan should consider if the perpetrator is known to the victim or if he is a stranger. It should also consider if the victim has faced sexual violence or physical violence. Where possible, also consider the safety and psychological wellbeing of her children when planning the victim's safety.

Calculating risks that arise not only from the perpetrators but also from the victim's individual circumstances will enable the victim to build trust towards the services. In view of personal protection, it is a challenge for the service provider to be mindful of the threats and challenges victims, family members and friends can encounter from the perpetrator or anyone representing the perpetrator. Consequently, service providers also should protect themselves from the same risks.

Further, the service provider should ensure that safety planning is done in a manner where the victim's privacy, confidentiality or the evidence is not damaged (for example, when providing temporary shelter).

## **5. DO'S AND DON'TS BY A SERVICE PROVIDER**

### **Providing information:**

As a service provider to victims of violence, one of your main functions could be to provide information to the victim on how to report the incident to the police, health sector, other social services or to inform the victim on what she needs to know about the court process. You may need to utilize a wide range of resources in order to provide such information or link the victim with those who can provide her with this information. Depending on the state of the victim, you may have to provide certain crucial information instantly and verbally using simple language. Refrain from using technical terms, abbreviations, legal jargon, or complex language so as not to burden and stress the victim unnecessarily. Sensitivity is required when inquiring her ability to follow the information provided, giving her sufficient time to grasp and understand her options as well as allowing her to get any unclear facts clarified.

### **Privacy and confidentiality:**

It is a mandatory requirement for a service provider to safeguard the privacy of the victim while ensuring that the victim is not subjected to further violence. Although challenging, it is important that you balance these two factors when assisting victims. If you must share information regarding the victim with another party (the police, another service provider, a supervisor etc.), it is of utmost importance to obtain the consent of the victim before doing so. This will show the victim that you are providing a professional service and help to build the victim's trust in you.

## **Instances where basic principles of confidentiality are breached (Exceptions):**

There are special circumstances where there are exceptions to the basic principles of confidentiality. You must explain to the victim the instances where you may have to breach her confidentiality. Explain that you will have to reveal some information regarding the incident when providing testimony in court. (For example; it is your professional duty to disclose any information received regarding a child who is at risk of being subjected to abuse).

## **Basic principles of confidentiality:**

- .. It is a basic responsibility of your organization, staff and of yourself to ensure the protection and well-being of victims.
- .. Service providers have to be accountable for their clients.
- .. The clients who seek services have the right to know the nature of the services to be received and inquire about the content of any document provided. Further, they have the right to request to change any errors or mistakes in the personal information that is given.
- .. The service provider should inform the client of the limitations in confidentiality of their statements and what they disclose at the time service is requested.
- .. The service provider is professionally duty-bound to safeguard the confidentiality of the information received. Such information should only be revealed with the consent of the client or in an instance where there is a legal obligation to release such information.
- .. Depending on the need or the responsibility, service providers can disclose information to their fellow staff

members. However, they are collectively responsible to safeguard the confidentiality of the information provided.

- .. You are required to obtain information only from the victim or relevant person, unless you are given explicit permission to obtain information from other sources.

## **DO'S, DON'TS AND WHAT TO SAY**

### **At the initial meeting**

#### ***Do's***

- ✓ Let the victim approach you. Listen to her needs.
- ✓ Inquire as to how you can assist with meeting her primary needs and requirements. Some victims may need immediate medical treatment.
- ✓ Inquire whether she is comfortable talking to you at your current location. If there is a third-party present during the meeting, the risk of confidentiality of the victim should be considered.
- ✓ Provide practical assistance including drinking water, tissues, seating, and a convenient location
- ✓ Listen carefully.
- ✓ Provide your maximum support, if necessary, get the assistance of a translator or any other person of the victims' choice.

#### ***Don'ts***

- ✗ Do not treat a victim as a person who provoked harassment by behaving inappropriately.



- ✦ Do not attempt to provide assistance by force or by pressurizing the victim.
- ✦ Do not overreact.
- ✦ Do not counter-question.
- ✦ Do not force the victim to provide any information beyond what is comfortable to her. When delivering services and listening to the victim’s story, it is not necessary for you to know what happened and who is to blame.

### **Examples of ‘what to say’;**

- .. “You seem to be under a lot of stress. Do you need to go to a hospital or a health clinic?”
- .. “Are you comfortable to talk here? Or could you suggest another place where you would be more comfortable?”
- .. “Would you like something to drink? Kindly take a seat.”
- .. “I /we will provide you with any assistance you need. Therefore, consider this as a safe place.”

### **When listening to the Victim**

#### ***Do’s***

- ✦ Consider the confidentiality of the information given by the victim. If you think you need advice from experts, get the approval of the victim before doing so. The victim’s identity should always be protected.
- ✦ Depending on the circumstances, manage the victim’s expectations regarding confidentiality.

- ✓ Know the limits of your role and responsibility.
- ✓ Speak less and listen more to the victim.
- ✓ Attempt to console the victim. Emphasize the fact that she is not responsible for her situation.

### ***Don'ts***

- ✗ Do not take notes, photographs, or record using mobile phones or any other devices, and do not report the incident to the media or any other party. (In the situation that pictures or recording is required it should only be done with the victim's consent).
- ✗ Do not question as to what happened. Try to listen to her story carefully, and in a friendly manner and inquire as to how you could be of any help.
- ✗ Do not compare the victims experience with any prior incidents or other experiences. Do not indicate that her incident is insignificant as her feelings towards her incident are of utmost importance.
- ✗ Do not doubt what she says. Your role is to listen to her story without any prejudice and provide her with information on available services and what you could do to assist her.

### **Examples on what to say;**

- .. “How can I assist you?”
- .. “This conversation is strictly between us and nothing will be disclosed without your consent.”

- .. “I will do my best to assist you although I am not a counsellor or an expert. You can share any information you have.”
- .. “I am concerned about your situation.”
- .. “None of it is your fault.”

## **Building up a rapport**

### ***Do’s***

- ✓ Establish the victim’s self-confidence and respect her right to make her own decisions.
- ✓ Provide information regarding all available services.
- ✓ Explain that she does not need to take prompt decisions and she has the right to change any decision regarding whether or not to access services
- ✓ Inquire as to whether the victim has a reliable person, friend, family member or caretaker, to assist her.
- ✓ If you feel it is safe, provide your mobile phone or any other communication device to the victim in order for her to contact someone whom she thinks is reliable.
- ✓ Obtain the victim’s consent and permission before proceeding with any action.

### ***Don’ts***

- ✗ Refrain from providing fake information, promises that you cannot fulfill, or overstating your capabilities.
- ✗ Refrain from advising her on your own, regarding the next and best steps to take.

- ✦ You may not know her real situation. Therefore, do not make assumptions as wrong steps taken will lead to further damage, hate and disrepute.
- ✦ Refrain from arriving at conclusions regarding anyone or their experiences.
- ✦ Do not discriminate anyone based on their age, marital status, disabilities, religion, ethnicity, class, sexual orientation, gender or the perpetrator’s identity.

### **Examples on ‘what to say’**

- .. “This conversation will remain between the two of us.”
- .. “I am not a counsellor or an expert. Nevertheless, I can provide you with information that is available to me. I will explain the available services where you can seek additional help. Would you like to know them?”
- .. “Information relating to the place/s where the service could be obtained, the times in which the service could be accessed, cost (if necessary), transport options and the name of the person you should meet is available here.”
- .. “I am glad that you still have self-confidence despite the experience you have gone through. It is a positive factor and has made it easier to assist you.”

## **6. VICTIMS PERSPECTIVE**

It is not always safe for victims to seek help and assistance as it could lead to unforeseen and unexpected problems. As a service provider, your duty is to direct the victim to the best possible information and services available and to inform them

on the benefits and risks of using such services. The following are examples of benefits and risks for the victim in seeking assistance:

**Benefits of seeking assistance:**

- .. The victim's accessibility to 'life-saving aid'.
- .. Access to professional medical services which is timely, secure, and confidential in order to avoid HIV/AIDS and unwanted pregnancies.
- .. Access to dignified and convenient services which provides alternative psychosocial assistance which is safe.
- .. Access to supportive services which can be used to avoid further victimization.
- .. Being able to provide a proper and systematic reporting process on the victim's experience, information, and evidence relating to the violence.

**Risks of seeking assistance:**

- .. The victim's friends, family, and community will become aware of the incident and the process which could bring the victim disrepute and she may be isolated from her family and community making her more vulnerable.
- .. When the perpetrator is named, he or his supporters may attempt to harm the victim and/or her family and could have life threatening intentions towards the victim.
- .. When the perpetrator gets to know that the victim is receiving assistance, the perpetrator may threaten the service provider.

- .. If service providers are not trained, they may respond insensitively or provide wrong advice.

## **EMPATHETIC APPROACH TOWARDS THE VICTIM**

### **The initial meeting:**

- .. Welcome her in a friendly manner.
- .. Ensure that you treat her normally, despite feeling that she is in trouble or at risk.
- .. Introduce yourself to her along with your role, designation and a brief description of your institution (this will help to her reduce mental agitation and make it easier and more comfortable for her to reveal her incident).
- .. Inquire in a friendly manner, as to the type of assistance she needs from you or your team.

### **Meeting her immediate needs:**

- .. Pay attention to the victim's immediate needs including; instant medical treatment, food or water, assistance from a loved one, a change of clothes, a bath (without hindering evidence). Providing her with these will put her at ease and help her feel respected.
- .. Let her express concern on her safety rather than arriving at assumptions yourself.
- .. Do not bring a third person into the discussion.
- .. Let the victim express herself in any way she wants as tension and psychological distress will alter her behavior. Everyone behaves differently in these types of situations.

Most often she may be quiet, overwhelmed by her emotions or angry and be blaming the whole situation on herself. When responding to these situations, be patient and sensitive.

- .. Instances where the victim is a person with a disability (a person with special needs), a person who communicates in sign language, or in a foreign language, could be an obstacle to the service provider. However, when seeking proper assistance to communicate with such victims, it is important for the service provider to follow the basic principles of a victim-centered approach and confidentiality.
- .. Even if you find it difficult to understand the victim, do not let this be known. Instead, continue to cooperate with her.
- .. Sometimes, due to cultural reasons, the victim (women or girls) may not want to interact with a male during the process. In such an instance ensure that there is a trained female staff/officer to be of assistance.

### **Listening to the victim:**

- .. As a service provider, it is important that you remain calm despite the victim being in a stressful or agitated manner. Let the victim express herself, as this will reduce her stress. Keep in mind that it's NOT your role at this point in time to provide counselling, either directly, by referring her to the other available services or by holding detailed interviews.
- .. Instead of holding a detailed interview it is better to inform her on what services she can use. For example, it is better to refrain from the normal mode of questioning; instead of posing the question 'why', which will indicate the victim is at fault, it's better to ask her what type of help she needs.

**The power of listening:** Sometimes the situation is such that you would not be able to provide her with any services she requires (for example, there could be a curfew imposed in the country, or the phone lines could be broken with no means of communication, or worse, the country could be in a turbulent state ). In such situations, you might feel helpless. However, it is important to build an honest and genuine relationship with the victim and to treat her with respect and encourage her to tell you about her traumatic experience by remaining calm and listening to her.

### **Building a rapport:**

- .. Inquire from the victim if she needs someone trustworthy to stay or travel with her.
- .. When the victim asks for your opinion on whom she should contact, and when, why and in what instances she should do so, encourage the victim to arrive at her own decision.
- .. Avoid expressing your own opinion on this situation.
- .. Make sure that you have accurate and up to date information on what services are available to the victim and the easiest path through which to access them.
- .. Show positive responses to the decisions taken by the victim and further encourage them.

## **7. YOUR SAFETY AND WELLBEING AS A SERVICE PROVIDER**

Prioritizing the safety of service providers and institutions that provide services to the victims of violence is of utmost



importance. Service providers who responds to victims should take steps towards their own safety. Especially since the service provider will have to deal with the victim's fear, anger, agitation, hate, wounds, pain, frustrations, and distress. In such situations, there should be clear alternatives and guidelines on how to face the situation, how to deal with and respond to nuisance calls and how to act when the service provider is required to visit the victim/crime scene. Further, guidelines regarding who should accompany the service provider as well as when and why they should not go should also be in place. It is important to have such guidelines within the organization and the service provider should be well aware of the organization's principles and procedures.

### **Common guidelines for your safety:**

- ..In the event that you are required to go out to collect or provide information, always travel with another person.
- .. When travelling out, always inform a colleague or any other person (without hindering the identity or confidentiality of the victim).
- .. Under no circumstance should you go to the place of crime unless you have a policeman with you.
- .. When responding to nuisance calls, get the assistance of the police (if the calls are from the perpetrator and are threatening in nature).
- .. If you are going to the place of the crime with a policeman, make sure that you inform the organization on where you are going, your phone number, and when you are expected to be back.

- .. Do not get involved in carrying the victim's belongings, encourage the victim to take a decision on how steps should be carried out easily and safely (getting the assistance of a family member, friend, the police, or the Grama Niladari).
- .. Have confidence in your ability and expertise in handling the situation.

### **Deciding your limits:**

You may become very sensitive and empathetic towards the victims you assist, especially in the case of victims of sexual violence, and maybe reluctant to limit the services you can provide. However, it is important that service providers have their own limits as this will also help the victim realize the importance of personal limits in their own life. Respecting a service provider's limitations will also help the victim build up her autonomy and independence. The best way to limit yourself as a service provider is to go through your organization's job description designated to you. As a service provider use the following as a self-assessment:

- .. What is the type of your involvement?
- .. Who do you report to?
- .. Why should you report to someone?
- .. Who else is available in your organization to assist you?
- .. Why would you need to seek assistance from them?
- .. Who you should and should not reveal your name, phone numbers, and designation to and why and at what point you should you reveal it?

- .. Why should a service provider ensure there is no personal relationship with the victim when assisting her? (Avoid meeting the victim at her or your residence or other personal locations and constant communication with the victim through phone, letters, social media).
- .. You should not provide transportation to the victim in your own vehicle or use your victim's vehicle.

## **8. COORDINATION BETWEEN SERVICE PROVIDERS**

A cohesive multi-disciplinary and cross-agency approach when responding to violence against women and girls is essential to protect victims and survivors of domestic, sexual and gender-based violence. Coordinated systems can have a greater impact in responding to violence and are more efficient than agencies working in isolation. These guidelines on coordination and governance of coordination of essential services are intended to ensure that the benefits of a coordinated approach are felt.

Coordination is a central element in the response to violence against women and girls. It is required by international standards which aim at ensuring that the response to violence against women and girls is comprehensive, multidisciplinary, coordinated, systematic and sustained. It is a process that is governed by laws and policies. It involves a collaborative effort by multi-disciplinary teams, personnel, and institutions from all relevant sectors to implement laws, policies, protocols, and agreements and to communicate and collaborate to prevent and respond to violence against women and girls. Coordination occurs at the national level among ministries that play a role in addressing this violence, at the local level between service

providers, stakeholders, and in some countries, at intermediate levels of government between the national and local levels.

Governance of coordination has two major components. The first is the creation of laws and policies required to implement and support the coordination of essential services to eliminate or respond to violence against women and girls. The second is the process of holding stakeholders accountable for carrying out their obligations in their coordinated responses to violence against women and girls as well as ongoing oversight, monitoring, and evaluation of their coordinated response. Governance is carried out at both the national and local levels.

### **The importance of coordination and governance**

Coordination and governance of coordination are intertwined functions that continually inform and contribute to each other. Coordination can be both a formal and informal process that is governed by laws and policies. These laws and policies should be based on best practices developed using international standards, rights and norms, and evidence and lessons learned through the direct experience of coordination. The accountability function of governance should identify the strengths and weaknesses of coordination and lead to modifications that enhance laws, policies, and practices.

A coordinated response is important because it is more effective in keeping victims/survivors safe from violence and holding offenders accountable rather than when different sectors of society work in isolation to address the issue.

For victims/survivors, a coordinated response results in increased safety, by placing them at the center of any intervention or

institutional response. A coordinated response gives victims/survivors access to informed and skilled practitioners who share knowledge in a dedicated and supportive environment. A coordinated response is able to recognize victim's/ survivors' multiple needs, which can be met through service and referral networks. Information sharing among agencies can reduce the number of times victims and survivors are asked to tell their stories, thus reducing the risk of re-traumatization. Integrated care models mean that victim/survivors' psychosocial, sexual health, and other health needs are more likely to be addressed holistically. In addition, women's rights to financial and social autonomy, which can reduce their risk of experiencing future abuse and improve their capacity for escaping after it occurs, can be integrated into coordinated responses to violence against women and girls.

A coordinated response benefits the institutions and agencies that respond to violence against women and makes them more effective. By complying with minimum standards, partner agencies can deliver more consistent responses. Clarity about roles and responsibilities means that each sector can excel in its area of expertise, and each professional's work is complemented by that of other agencies and professionals. Coordination with other sectors enhances the ability of the criminal justice system to hold perpetrators accountable. Shared protocols ensure clear and transparent communication and accountability mechanisms among agencies. Coordination means that consistent messages and responses can be given to victims/survivors, perpetrators and communities. Shared data systems can support individual case management such as, ensuring an appropriate response to the results of on-going risk assessment, and can serve as a source of information for monitoring and evaluating the program.

Coordination results in greater impact and reach of programs, a lower cost through pooling financial and human resources, and reducing duplication of effort. For communities', coordination sends clear, consistent, unified messages that violence against women is being treated seriously, both by protecting and assisting victims/survivors, and by deterring and punishing perpetrators. Coordination can result in greater community awareness of the availability of services to support victims/ survivors and send a message that violence against women will not be tolerated. Coordination provides more opportunities, for women to speak out about their experiences of violence, and for community members, including men and boys, to gain knowledge about the impact of violence against women on them and their families. Participatory community strategies, where violence against women is framed as a human rights and equality issue, offers opportunities for collaboration with those working on other social justice issues.



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