

PERSPECTIVES ON DOMESTIC VIOLENCE

A Coordinated
Community
Response to a
Community
Issue

A 2017 Report by
Women's Aid
Organisation (WAO)

With the support of

 WOMEN'S AID ORGANISATION
PERTUBUHAN PERTOLONGAN WANITA





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Since 1982, Women's Aid Organisation has provided free shelter, counselling, and crisis support to women and children who survive abuse. We help women and their children rebuild their lives, after experiencing domestic violence, rape, trafficking, and other atrocities. Learning from women's experiences, we advocate to improve public policies and shift public mindsets. Together, we change lives.

Our close engagement with survivors allows us to monitor how effectively domestic violence laws and policies are implemented. We learn from survivors' lived realities and share our learnings – through reports such as this one – to inform multi-stakeholder services and community response for all domestic violence survivors and their children.

This is the fifth report produced by WAO on domestic violence response since 1997. The purpose of this report is multi-fold:

- (1) To help the reader understand domestic violence as a criminal act that destroys lives, from real stories of survivors (see Case Studies and Highlights);
- (2) To help the reader (the policymaker, police officer, welfare officer, hospital, NGO service provider, or other stakeholder) consider what they can do to stop domestic violence (see Recommendations); and
- (3) To provide the reader with a tool for learning and awareness (see Tina's Journey).

This report was produced with data collected and analysed by WAO throughout 2015 and 2016, as well as women's actual experiences recorded by WAO and two other NGO service providers: The Women's Centre for Change (WCC Penang) and Rose Virginie Good Shepherd Centre. WAO is grateful to our sister organisations for sharing their case narratives.

We wish to thank Y.B. Datuk Paul Low Seng Kuan, Minister in the Prime Minister's Department, for the generous support towards the production and launch of this report.

Finally, we honour the brave women and children who are surviving and have survived domestic violence. Our women survivors have selflessly shared their stories with us to help us understand the risks and struggles women continue to endure even when courageously seeking to leave their violent home and forge a safe, peaceful future. We must keep their voices, safety, and empowerment at the front and centre of this work.

If you are a survivor, or if you work on domestic violence issues within the public sector (police, medical or welfare), WAO would be keen to hear your views on the issues raised in this report. Please email: womensaidorg@gmail.com.

Call the WAO Hotline at +603 7956 3488 or SMS/WhatsApp TINA at +6018 988 8058 if you or someone you know is experiencing abuse.

FOREWORDS

CAROL CHIN

*Women's Aid Organisation
President 2015–2017 term*

This report highlights cases of domestic violence handled by Women's Aid Organisation and our sister NGOs, giving the reader a glimpse of the challenges faced by domestic violence survivors on their journey to seek protection of their rights and justice for themselves and their children, and to re-build their lives.



In June of 1996, the Domestic Violence Act (DVA) was finally implemented after over a decade of campaigning by a coalition of women's NGOs, including WAO, along with partners in government. The Act criminalised domestic violence, protected the rights and safety of survivors of DV, and required the police and courts to take action against abusers. However, more than 20 years later, much work remains to be done.

While the legal protections against domestic violence have come a long way, we are still far from ensuring that every survivor can access the justice to which she is entitled. Before a survivor can think about accessing justice, she must be able to access the critical support and resources required to escape her abusive situation, including shelter, counselling, and programmes geared at her confidence, economic empowerment, and psycho-social well-being. We as a community must provide these resources and support so that every woman experiencing domestic violence knows that she has the choice to leave, and knows that she is not alone.

Once a survivor has moved out of the crisis of domestic violence, the ability to access justice is a key component of her moving forward with her life. This access to justice—whether in the form of securing legal representation in order to obtain a divorce from her abuser, or seeing her perpetrator charged and convicted in Court—can be critical to the survivor's recovery. It not only validates her legal rights, but her emotional experience as well, and may provide the closure the survivor requires to put her abusive past behind her.

This report contains the stories of many women who courageously left violent situations, and details some of the obstacles they faced in accessing support and justice. These narratives should encourage self-reflection—by NGOs, government responders to domestic violence, families, and members of the community-at-large—to examine where we have succeeded and where we must continue to fill the gaps to ensure that every woman enduring domestic violence receives the support and justice to which she is entitled.

Y.B. DATUK PAUL LOW SENG KUAN

*Minister in the Prime Minister's Department –
Governance, Integrity and Human Rights*

This report contains stories shared by women who are survivors of domestic violence and who sought the assistance of Women's Aid Organisation. The report highlights not only challenges faced by domestic violence survivors in overcoming their abuse and accessing justice, but also recommendations for how these challenges can be overcome.



Domestic violence is still very much considered a private, family matter, and the stigma and lack of understanding surrounding domestic violence results in many individuals taking a passive approach to the issue, as they believe it is 'not their problem'.

However, domestic violence is everyone's problem.

Domestic violence and other forms of violence against women are indicative of a larger plague in our society, wherein we have—whether explicitly or implicitly—adopted misogynistic values and view women as inherently inferior. In order to change this perception, and work towards a society in which there is no violence against women and women are treated equally, every member of the community, including family and friends of survivors, government responders to domestic violence, and NGOs need to work together to actively intervene.

This is the second report on domestic violence from WAO my office has supported. The first, published in 2015, contained valuable policy recommendations – some of which have since been adopted. Perhaps most notably, a framework for a multi-stakeholder response to domestic violence has been codified in the *Garis Panduan Pengendalian Kes Keganasan Rumah Tangga*. I am happy to once again support this important publication.

Domestic violence is a serious offense, and a violation of a woman's most basic human rights. I hope we as a community can work together to end all forms of violence against women, and work towards a society where everyone is equal.

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INTRODUCTION

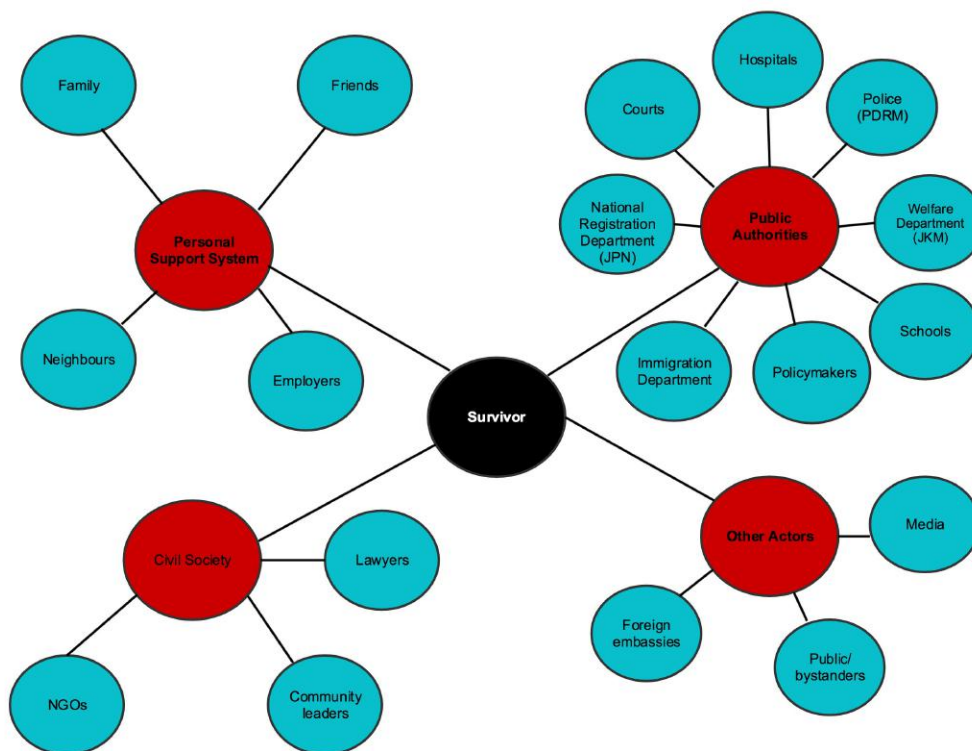
THIS REPORT

WAO’s 2015 publication, “Working Together: Case Studies in Domestic Violence Response,” has been utilised in the training of various government agencies on responding to domestic violence; by NGOs in evidence-based lobbying efforts to call for stronger laws and policies to protect against domestic violence; and by WAO and other organisations as a tool for raising awareness on the experience of domestic violence survivors.

While the 2015 report remains a relevant resource to be relied on, with our 2017 report we wish to highlight an additional set of issues around the experience of domestic violence survivors and the current state of domestic violence response.

As the title of this report suggests, domestic violence is a community issue that requires a coordinated and formalised community response. This response must come not only from NGOs and the police, the welfare department and other government stakeholders, but from every member of the community, including the family members of survivors, the family members of perpetrators, and neighbours and bystanders. At the centre of this coordinated community response must always be the survivor.

WHO DOES A COMMUNITY RESPONSE TO DV INCLUDE?



The issues faced by survivors of domestic violence are complex and far-reaching. Even a woman who has managed to escape her abusive situation and seek help must deal with issues ranging from securing her financial stability, to accessing the

justice system, obtaining a divorce from her abuser, coordinating the logistics of moving her children to a new location, resolving immigration issues and a whole host of other matters. Each of these issues places an additional burden on the survivor—who is already coping with the emotional and psychological trauma of her abuse—and each presents an opportunity for members of the community to respond to the survivor in a way that acknowledges her rights as a person, understands what she has endured, and is sensitive to her needs.

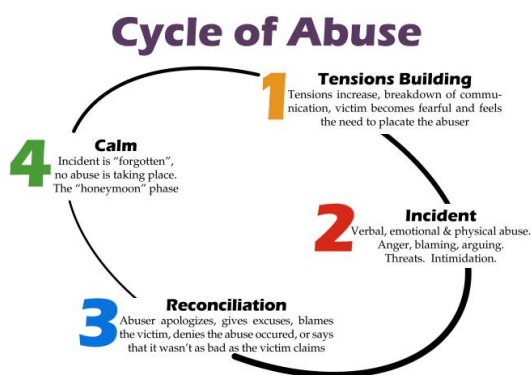
In addition to utilising actual case studies to illustrate the abuse experienced by survivors of domestic violence, as well as the issues they face in accessing support services and the justice system, this report includes an additional learning tool, entitled “Tina’s Journey.”

“Tina’s Journey” is a fictionalised narrative that does not represent the experience of one particular survivor whom WAO has assisted, but rather, has been created to reflect an aggregate of the experiences of survivors that WAO has observed. Tina is the voice of the domestic violence survivor.

Through this report, we hope to share the voices of survivors, learn from their experiences, and reflect on the ways in which we as a community can come forward with a comprehensive and coordinated response to domestic violence.

WHAT IS DOMESTIC VIOLENCE?

Domestic violence is the use of intimidating, manipulative, or coercive behaviour by one partner in an intimate relationship over another partner, for the purpose of gaining or maintaining power and control.¹ Domestic violence is habitual, repeated, and random,² and it may take the form of physical, psychological, social, sexual, or financial abuse.



At WAO, we view domestic violence in the broader context of Malaysian society, with an eye toward the position of women and inequality between the genders. Thus, the term ‘habitual’ refers to the fact that the pattern of violence is ingrained in the psyche of the abuser. In our patriarchal society, our institutional and family structures tend to be male-dominated, which leads to gender stereotyping and subsequently to a power imbalance between men and women. In the context of an intimate or family relationship, this leads to discrimination in the form of de-valuing the women and her contributions, which eventually escalates into violence, whether physical or psychological.

¹ “Domestic Violence.” The United States Department of Justice. N.p., 31 October 2016. Web. Jan. 2017. Available at

² <http://www.refuge.org.uk/about-domestic-violence/>

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'Repeated' refers to the fact that domestic violence is a cycle that rotates between the stages of tension or development, eruption (the violent incident), persuasion by the abuser of the survivor that the abuse will not happen again, and finally, the honeymoon stage, during which things may be calm and the survivor may begin to minimise or justify the violence.

Finally, 'random' refers to the fact that there is never any justification for domestic violence. While substance abuse, financial stresses, and other issues may be aggravating factors, they are never the reason for domestic violence.

Domestic violence is a violation of women's fundamental human rights and can have devastating and far-reaching consequences beyond even a woman's own lifetime, including economic ramifications and inter-generational violence. This inter-generational violence may take the form of a girl who has witnessed the abuse of her mother going on to enter into an abusive relationship later in her life, or of a son growing up to replicate the violent behaviours of his father.

DOMESTIC VIOLENCE IN MALAYSIA

According to a 2014 study conducted by the Women's Development Research Centre (KANITA) in Universiti Sains Malaysia, nine percent of ever-partnered³ women in Peninsular Malaysia have experienced domestic violence at some point in their lifetime,⁴ equating to over eight hundred thousand⁵ women in Malaysia who have likely experienced abuse.

There has been a steady rise in the recent past in the number of domestic violence cases reported to the police. While in 2010, only 3,173 cases of domestic violence were reported,⁶ this number rose to 4,123 cases in 2013,⁷ 4807 cases in 2014,⁸ and 5014 cases in 2015.⁹ The increase in number of domestic violence cases reported to the police indicates a positive trend, in that more women are aware of their rights and are coming forward to seek help. However, despite this increase, domestic violence is still vastly underreported, given the hundreds of thousands of women in Malaysia who are likely experiencing abuse.

LEGAL FRAMEWORK

Malaysia has made significant advances over the past two decades in protecting survivors of domestic violence through laws and policies.

³ An ever-partnered woman refers to a woman who is married, is living with a man but not married, has an intimate partner but is living apart for the intimate partner, or currently is not married and does not have an intimate partner but has been married or has had an intimate partner in the past.

⁴ Shuib, R., Ali, S. H., Abdullah, S., Ab Ghani, P., Osman, I., Endut, N.,...Shahrudin, S.S. (2014). Executive Report, Summary of Findings: A Country Level Study of Women's Well-being and Domestic Violence Against Women (DVAW) Using WHO Multi-country Questionnaire. Pulau Pinang: Women's Development Research Centre (KANITA), University Sains Malaysia.

⁵ Estimate based on Shuib et al. (2014) and census data.

⁶ Yen, Ho Kit. "Teo: 'Conviction rate in domestic violence cases shocking.'" Free Malaysia Today. 10 March 2016. Available at <http://www.freemalaysiatoday.com/category/nation/2016/03/10/teo-conviction-rate-in-domestic-violence-cases-shocking/>

⁷ "3,343 domestic violence cases reported in first eight months of this year—Rohani" Borneo Post Online. 2 October 2015. Available at <http://www.theborneopost.com/2015/10/02/3343-domestic-violence-cases-reported-in-first-eight-months-of-this-year-rohani/>

⁸ Ibid.

⁹ Yen. "Teo: 'Conviction rate in domestic violence cases shocking.'"

- **The Domestic Violence Act 1994.** The passing of the Domestic Violence Act (DVA) in 1994, and its subsequent implementation in 1996, sent a clear message that domestic violence is not just a family matter, but is a crime, and demonstrated the government's intention to address it as such. The DVA is read in conjunction with the Penal Code and the Criminal Procedure Code.
- **Amendments to the DVA.** Amendments were made to the DVA in 2012, with some of WAO's recommendations included. Pursuant to on-going lobbying efforts by WAO, as part of the Joint Action Group for Gender Equality (JAG), further amendments to the Act to enhance its protections are anticipated to be tabled in Parliament in March 2017. WAO urges Parliament to pass the Ministry of Women, Family and Community Development's bill to adopt these amendments.
- **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).** Malaysia ratified CEDAW in 1995. The treaty defines discrimination against women and articulates the state's obligation to take measures to eliminate discrimination and bring about equality between the genders. CEDAW, through its General Recommendation No. 19 elaborates on the link between discrimination and gender-based violence, and the proactive measures a state must take to address violence against women.¹⁰ The DVA and other domestic laws still do not fully comply with CEDAW.
- ***Garis Panduan Pengendalian Kes Keganasan Rumah Tangga.*** In addition to conducting an on-going examination of existing laws and policies to ensure that they afford the maximum protection possible for survivors of domestic violence, we must also continue to work towards the comprehensive implementation of existing laws and policies. Such comprehensive implementation can best be achieved through a continuous process of training and knowledge-sharing, utilising a multi-stakeholder framework that puts the needs of the survivor at the forefront. Such framework has been codified in the *Garis Panduan Pengendalian Kes Keganasan Rumah Tangga, (Garis Panduan)*¹¹, which was published in 2015 by the Ministry of Women, Family and Community Development and establishes the roles and responsibilities of the nine government agencies that are involved in handling domestic violence cases.

¹⁰ In General Recommendation 19, the CEDAW Committee explains that, "The definition of discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. Gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence." The Committee elaborates that the state must take effective measures toward eliminating gender-based violence, including enacting appropriate laws, providing support services for victims and conducting gender-sensitive training for judicial and law enforcement officers, as well as other public officials.

¹¹ An electronic version of the *Garis Panduan* is available for download from the official website of the National Population and Family Development Board (LPPKN), part of the Ministry of Women, Family, and Community Development. The download is available at <http://www.lppkn.gov.my/index.php/en/garis-panduan-pengendalian-kes-keganasan-rumah-tangga/download/0-/33-smartstart.html>

Highlights



HIGHLIGHTS FROM WAO STATISTICS

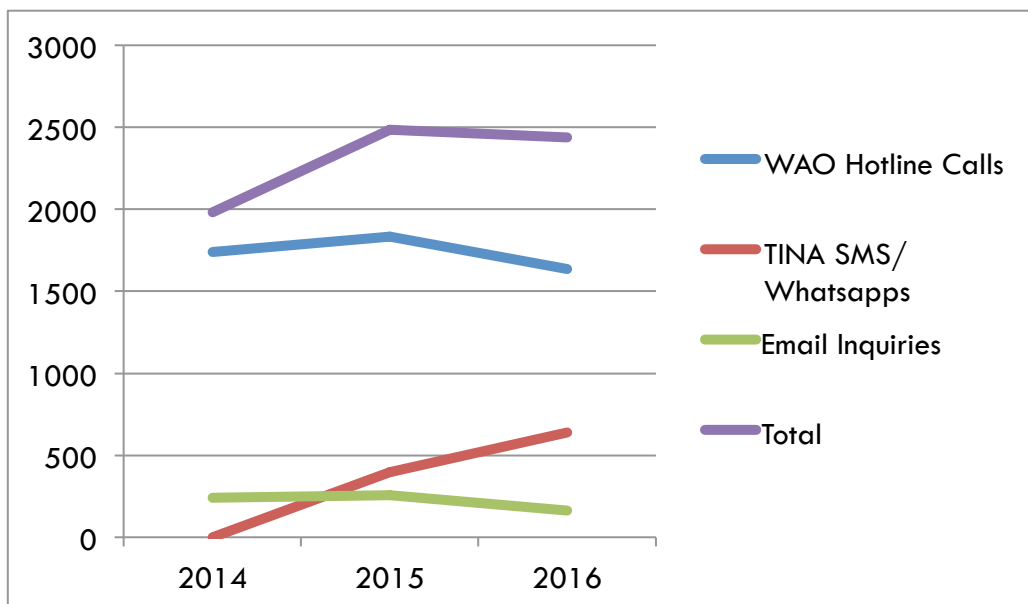
WAO's position as a provider of critical crisis services, including shelter and counselling, enables our strong, evidence-based advocacy. Our close engagement with survivors allows us to monitor how effectively domestic violence laws and policies are implemented. We learn from survivors' lived realities to identify gaps in multi-stakeholder response to domestic violence, as well as gaps in existing laws and policies that must be fortified.

We collect relevant statistics in order to gauge the current level of domestic violence response and assess the experiences of the survivors whom we serve. This subsequently allows for an analysis of trends in the circumstances characterising domestic violence, as well as in the community response to domestic violence.

Based on these statistics, a few aspects of both the experience of survivors and of the response to domestic violence are highlighted below, in order to provide the reader insight into what survivors must overcome to lead a life free from violence, to inform multi-stakeholder services, and to enhance our community response.

HIGHLIGHT 1: THERE IS A CONSISTENT DEMAND FOR NGO SERVICES

Provision of WAO Hotline Services from 2014-2016



In addition to the services we provided to women and children whom we sheltered, in 2015 and 2016, we also expanded the availability of our WAO

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Hotline via increased hours. The WAO Hotline extends access to critical information and counselling services to those who may not be ready or able to leave their abusive situation and simply want to find out their options or speak to someone.

The number of total WAO Hotline inquiries increased from 1,982 in 2014 to 2,395 in 2016, indicating the consistent need not only for counselling and information pertaining to one’s rights and options as a survivor of domestic violence, but also for shelter services.

Given the numbers of women who are likely experiencing DV, the need for the type of services provided by the WAO Hotline continues to outpace the availability of such services. NGOs, government responders, and other members of the community must continue to work to ensure that survivors of domestic violence have access to the support services and information that they need in order to escape their abusive situation.

HIGHLIGHT 2: MANY SURVIVORS MADE POLICE REPORTS PRIOR TO SEEKING WAO’S ASSISTANCE, BUT IN SEVERAL OF THESE CASES NO ACTION WAS TAKEN

In 2016, 41% of WAO residents had filed a police report before coming to WAO. This is a positive trend, since it indicates that women know they have a right to be free from violence by seeking help from the police.



41% of WAO residents had filed a police report before coming to WAO

However, most of the reports filed by these WAO residents were *cover reports*, made by the women to document an incident of abuse, but—unlike a *tindakan* (action) *report*—not requesting the police to take investigative or intervening action. On the one hand, filing a cover report rather than an action

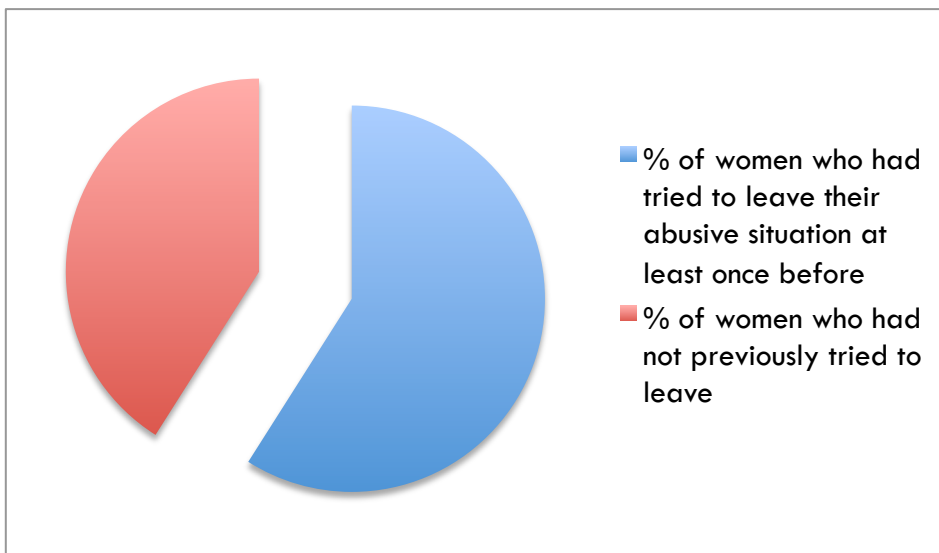
report may indicate a woman's reluctance to pursue a case and potentially subject her abuser to criminal charges. However, another perspective is that women are taking a more proactive approach by taking the step to create an official record of the abuse when it takes place, in the event that another abusive incident occurs in the future and additional action must be taken.

Unfortunately, in many cases where WAO residents had approached the police prior to coming to WAO, no action was taken, despite an *action report* being filed. In these cases, police action was only taken after a WAO social worker became involved in the case and assisted the client in following up with the police. This lack of police action and support could deter women from making further reports or following up on previous reports. Such inaction may be due to a general lack of understanding, knowledge, and expertise on the part of the police when it comes to domestic violence and how the law requires the police to respond in such cases, as outlined by the *Garis Panduan*.

HIGHLIGHT 3: A COORDINATED COMMUNITY RESPONSE IS ESSENTIAL TO ENSURE SURVIVORS WHO LEAVE THEIR ABUSIVE SITUATION ARE EMPOWERED NOT TO RETURN

Out of the total 192 DV survivors whom WAO sheltered in 2015 and 2016, 114, or 59%, had attempted to leave their abusive situations at least once before. While 44 of these 114 women (36%) attributed their return to the abusive situation to their husbands indicating their willingness to change, there are a host of reasons why women may choose not to leave, or to return.

Percentage of survivors who previously tried to leave their abusive situation



However, what remains consistent regardless of why a woman ultimately chooses to remain in an abusive situation is that a coordinated community

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response to domestic violence can empower more women to make the choice to permanently leave their abusive situations.

For example, if a woman attempts to leave an abusive relationship and seeks help from the police, but the police do not take any action on her report or tells her that 'it is a family matter', that woman is likely to return to her abuser, and unlikely to seek support from the police in the future. Similarly, a woman who is being abused and who tries to get help from friends or family members, but is told that 'she should not embarrass or defame her husband' may decide not to tell anyone else about what she is going through, thinking that she will be met with the same response.

In contrast, a woman who escapes her abusive situation with the aid of neighbours, is treated with respect and sensitivity when she goes to file a police report, receives counselling and information from an NGO, and knows that her family will support her regardless of what she decides to do, is far more likely to become empowered to leave her abusive situation.

HIGHLIGHT 4: CONTRARY TO COMMON MISCONCEPTIONS, THE MAJORITY OF SURVIVORS WERE WORKING OR FORCED NOT TO WORK BEFORE COMING TO WAO

Many people have misconceptions about who can become a victim of domestic violence. Some people believe that domestic violence only happens to women of a certain ethnic, religious or socio-economic background, and is largely limited to women who are homemakers. However, the reality is that domestic violence affects all women, regardless of ethnicity, religion, socio-economic background, and even education level and employment status.

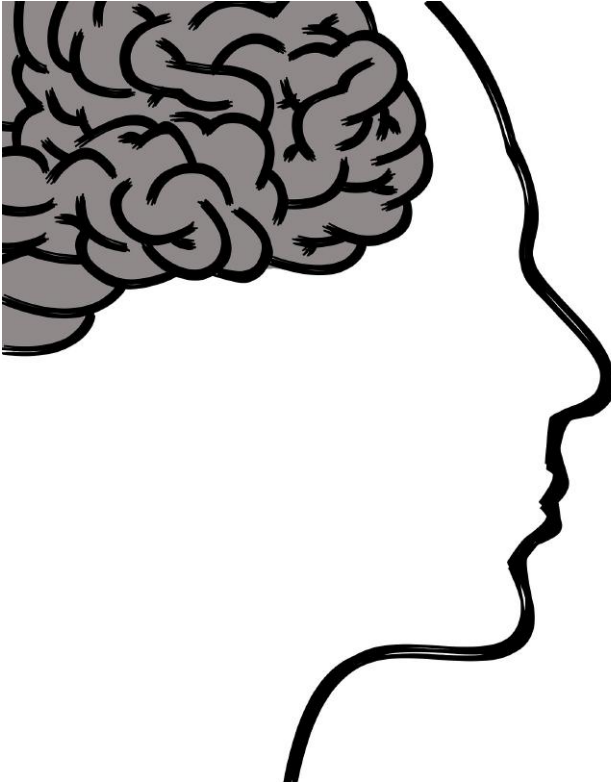
While it is true that financial dependence on the perpetrator does often make women more vulnerable to domestic violence and less able to leave an abusive situation, working women can be just as impacted by domestic violence. Out of the 192 DV survivors whom WAO sheltered in 2015 and 2016 only 73 (38%) were homemakers.

Out of these women, 52 (71%) had become homemakers not of their own choice, but because their husbands forced them to stay at home. Exerting control over a woman by not allowing her to work can be a form of both social and financial abuse, as it may be spurred by jealousy or suspicions around the woman's relationships with co-workers, or motivated by the perpetrator's desire to make the woman financially dependent. An abuser can also financially abuse his wife or intimate partner by forcing her to work and subsequently

stealing or squandering her earnings, so that she is unable to establish any economic independence.

HIGHLIGHT 5: PSYCHOLOGICAL ABUSE IS THE MOST COMMON FORM OF ABUSE

In 2015 and 2016, 93% of the DV survivors whom WAO sheltered reported that they had experienced psychological abuse. For most of these women, the psychological abuse was accompanied by physical abuse, and, for many women, social, financial, and sexual abuse as well.



93% of WAO's residents in 2015 and 2016 experienced psychological abuse

At the same time, many women may experience severe psychological abuse for years without experiencing physical abuse. These women may never seek help because they do not realise that they can file a police report or seek medical attention for psychological harm, and may not think that this form of abuse warrants leaving their perpetrator. On some occasions, women who seek assistance from the police are told that nothing can be done since they do not have physical injuries.

However, the 2012 amendments to the DVA included the addition of the language, "causing psychological abuse which includes emotional injury to the victim" into the definition of domestic violence. Thus, survivors who are experiencing psychological abuse without physical abuse can still lodge a police report obtain an Interim Protection Order (IPO).

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According to the *Garis Panduan*, if a woman who is experiencing psychological abuse goes to the police first, the police should refer the woman to *Jabatan Kebajikan Masyarakat* (JKM), and a JKM officer should accompany the woman to the hospital for a mental state assessment (which can be done at a government hospital). JKM should then inform the police once the mental state assessment has been completed, and the police should collect the report from the hospital as part of their investigation, as the report from the mental state assessment becomes an exhibit in evidence. The police may issue the referral letter for an IPO even before the mental state assessment is complete, and, with this referral letter, JKM can assist the survivor to obtain an IPO.

Unfortunately, for survivors of psychological abuse who choose to leave their abusive situations and take legal action against their perpetrator, a Deputy Public Prosecutor (DPP) may be unwilling to pursue charges against the perpetrator since meeting the evidentiary burden is more difficult in a case where there is no physical abuse, although the mental state assessment helps toward this end. Furthermore, where the woman is pursuing custody of her children, the perpetrator may try to use the woman's evidence of psychological distress against her and argue that she is thereby an unfit mother.

HIGHLIGHTS FROM WAO'S 2015 REPORT "WORKING TOGETHER: CASE STUDIES IN DOMESTIC VIOLENCE RESPONSE"

WAO's 2015 Report, "Working Together: Case Studies in Domestic Violence Response," highlighted a number of issues based on WAO's statistics collected in 2014. These issues, which remain relevant, and offer additional insight into both the experiences of survivors as well as the current state of domestic violence response, are summarised below:

- **Domestic violence occurs repeatedly over an extended period**
 - WAO's 2014 data showed that forty-four women (40%) of the 110 domestic violence survivors surveyed reported experiences of domestic violence occurring for more than five years; 45 women (41%) for between one and five years; and 21 women (19%) for less than one year. This means that up to 89 women (81%) could be classified as having faced sustained and prolonged violence in the home (more than one year in duration). Along with Highlight 3, above, this data re-emphasises the need for a coordinated community response to domestic violence--one that is sensitive and lets the survivor know that if she leaves her abusive situation, she will not be alone.

- **Police act as first responders in most cases**

- A key learning point from a review of the 110 cases surveyed in 2014 was that women are heavily reliant on the police as first responders in situations of domestic violence. Sixty-eight out of the 110 women surveyed (62%) sought help from the police before seeking other government or NGO services. This shows that women recognise the police's vital role in stopping perpetrators and believe that the police can end the violence by holding perpetrators accountable for their actions. Prompt and protective action does not just stop the violence; it also sends a strong message within communities that the police are intolerant of violence against women. This may, in itself, act as a deterrent to future perpetrators.

- **Multiple dimensions of health services**

- Health services are another critical service sector for women survivors and their children. For many women who approach hospitals as a first step, the provision of first aid and medical care for physical injuries sustained from domestic violence leads to contact with a medical social worker, who can refer the women to other forms of protection, such as the police, welfare, and access to NGO safe shelters. Where One Stop Service Centres (OSSC) are in operation, these critical referral mechanisms are functional. However, such coordinated service is not widely available, and does not exist in the private health sector; private clinics are the first point of call for many women. Fifty-one of the 110 women (46%) approached clinics and hospitals to obtain medical assistance for physical injuries.

- **Low awareness of welfare services**

- A worrying trend is the low uptake of welfare services. Out of the 110 women surveyed in 2014, 91 (83%) had not approached the Social Welfare Department for assistance before being referred to a welfare officer by NGO case advocates. The main barrier reported is that women simply did not know of the critical role that the Social Welfare Department plays in enabling their protection from further violence. This is unfortunate in view of the high satisfaction level (90%) reported by the 19 women who did approach welfare officers on their own.

- **More support needed for women to obtain legal representation**

- A woman's access to justice can be strongly enhanced by the availability of legal representation services. Women survivors often face a series of legal issues, including related to divorce and child custody. Only 12 women (11%) among the 110 women sought legal assistance. The remaining 98 women did not seek legal assistance. The main

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reasons the women did not seek legal assistance were: they could not afford the fees (32 women), and they were unaware of the availability of legal aid (41 women). Through WAO's intervention, 38 women were able to access legal services through WAO's legal aid fund, the Bar Council Legal Aid Centre, and other through other means.

● **Limited reach of NGO response and shelter availability**

- It is imperative to also review the service delivery by NGOs, and the impact of NGO advocacy on the government's efforts to address violence against women, and specifically domestic violence. The active participation of civil society organisations, particularly, women's groups, contributes significantly to advocating for reform in the domestic violence legal, policy, and implementation elements. Engagement with government is critical, not just for advancing accountability of state responders but also to inform policy-makers on women's experiences. Continued participation by progressive women's groups can ensure that non-discrimination and equality for women are positioned at the centre of policy formulation and state service delivery to women survivors and their children.
- NGO contribute tremendously to direct service provision for domestic violence survivors. However, in 2014, of the 110 women surveyed, 65 (59%) reported that they were unaware of the range of services offered by NGOs, which could have helped them earlier in their domestic violence experience. It is apparent that NGOs must be more engaged in public awareness initiatives and in working more closely with community structures to bridge this information gap.
- A key concern is the limited availability of NGO services, particularly of shelters. While there are shelters run by the Social Welfare Department, there are few facilities nationwide that specifically serve women survivors of domestic violence. Those services that do exist are frequently oversubscribed.

HIGHLIGHTS FROM CASE STUDIES

In addition to the statistics that WAO has collected and presented in order to highlight certain aspects of survivors' experiences and the current state of domestic violence response, we have also selected several cases that provide qualitative insight into the issues. Highlights from these case studies are shared below; the full case studies are in the next section of this report.

The survivors whose case studies are included in this report bravely agreed to share their stories, with the hope of educating the community and bringing about changes to laws and policies around, attitudes toward, and implementation of domestic violence response. All personal information of these survivors has been redacted and their names changed to protect their identities.

HIGHLIGHT 6: INSTITUTIONALISED MULTI-STAKEHOLDER RESPONSE IS CRITICAL TO ENSURING THE SURVIVOR IS CONNECTED WITH THE SUPPORT SERVICES SHE NEEDS

Referrals to NGOs

A coordinated and institutionalised multi-stakeholder response is critical to intervening in domestic violence and providing survivors with comprehensive support. Such a multi-stakeholder response is part of the broader community response that is necessary to address domestic violence, and requires acknowledging the roles of diverse agencies, from the police, to the welfare department, hospitals, NGOs, and the Courts.

In Case 1, Alice was referred to WAO when she called the emergency 999 number in Sabah. The representative who assisted Alice had the knowledge that there was a directory of NGOs that she could refer callers to, and took the initiative to do so. Such initiative on the part of the 999 representative was likely the result of training which included a component on how to refer cases. A standardised referral process should be adopted by all states so that 999 responders, police officers, hospitals, and other stakeholders are equipped to make immediate referrals to survivors in need of shelter and other crisis support services, as was done in Alice's case.

The police officer handling Alice's case was extremely helpful and sensitive to the nature of a domestic violence situation, going out of his way to make arrangements to ensure Alice and her social worker's safety and convenience. This type of coordination between stakeholders, with the wellbeing of the survivor at the forefront, can be achieved with ongoing collaboration, training, and knowledge-sharing.

Advising survivors on their options

Similarly, in Case 6, the JKM officer advised Sarah of how she could seek protection for her children when it became clear that adding them to the IPO was not an option. Had the JKM officer simply told Sarah that her children could not be added to the IPO and not suggested any other options, Sarah would have been left feeling hopeless and apprehensive about the safety of her children.

This action by the JKM officer illustrates the importance of the role that JKM officers and other stakeholders can play in not only providing critical information to the survivor, but also addressing individual needs. It also emphasises, once again, the importance of proper training and multi-stakeholder engagement for all responders of domestic violence, so that each party understands their role not only in a silo, but in the context of the wholistic, community response that is required.

HIGHLIGHT 7: EMPLOYERS CAN INTERVENE IN IN DOMESTIC VIOLENCE AND SUPPORT SURVIVORS WITH GENDER-SENSITIVE POLICIES

As highlighted by Case 6, employers have the potential to play an important role in supporting survivors of domestic violence. In Sarah's case, her employer was the one to refer her to WAO when she learned of the abuse that Sarah was experiencing.

Survivors are often socially isolated by their abusers – so if survivors work outside the home, their employer can play a role in identifying and responding to DV. Where an employee has become withdrawn or there is a drastic negative turn in her performance, an employer who recognises the signs of domestic violence may intervene, such as by providing the employee with information or referring them for counselling, as is provided by some companies.

Other positive practices WAO has observed in the past include employers granting leave to employees who are going through domestic violence in order to attend court hearings or counselling sessions, or calling the police when a perpetrator has shown up at the employee's workplace, in violation of an IPO.

At the other end of the spectrum, WAO has seen cases where women have been terminated from their jobs due to a decrease in productivity or increase in absenteeism associated with domestic violence (e.g. due to missing work as a result of court hearings, medical appointments, counselling sessions, or emotional issues), or felt compelled to leave as a result of fear or embarrassment when their perpetrators show up at their workplace. Although

not well documented in Malaysia, there have been numerous instances in other jurisdictions of women being abused or even killed in the workplace.

Not all employers have a policy in place around domestic violence. The best practice for all employers is to conduct a review of all human resource policies to improve gender sensitivity, gender equality, and inclusion. This includes policies and procedures that address domestic violence, sexual harassment, pregnancy, and other forms of gender discrimination. In other jurisdictions, such as the U.S., federal and state laws actually require that employers provide leave or other benefits to victims of domestic violence. In absence of such laws in Malaysia, employers should take it upon themselves to introduce policies that encourage gender equality and a safe workplace for all individuals, not only because it is the right thing to do, but also because it will result in healthier and safer employees, increased productivity in the workplace, and a better bottom line.¹²

HIGHLIGHT 8: INCORPORATING EXCEPTIONS FOR DOMESTIC VIOLENCE INTO RELEVANT LAWS AND POLICIES CAN INCREASE ACCESS TO JUSTICE FOR SURVIVORS

Accessing and navigating the justice system can be difficult for anyone, let alone for an individual who is attempting to move forward from the trauma of domestic violence. Cost is one major hurdle to many survivors who wish to cut ties with their abuser and obtain a divorce, as the legal fees associated with doing so can be quite substantial.

In order to qualify for aid from the Legal Aid Bureau,¹³ an applicant must show that her financial resources do not exceed RM25,000 per annum. However, there are many survivors whose earnings fall above the maximum threshold to qualify for legal aid, but who do not actually earn enough or have too many other financial obligations to be able to afford legal representation. Thus, a simple means test—especially one with a bar that is too low, does not account



for the unique situation of domestic violence survivors.

Case 4 illustrates a situation where a survivor was able to qualify for legal aid and obtain representation in her divorce case. In that case, Rachel met the means test for legal aid since she was not earning an independent income and all

¹² Pitts, Tamara. Gender Equality In The Workplace Increases Productivity. 13, April 2013. Available at <https://www.mindjet.com/blog/2013/04/gender-equality-and-productivity/>. Wu, Ruohan. Gender Equality In The Workplace: The Effect Of Gender Equality On Productivity Growth Among The Chilean Manufacturers. 2016. Journal of Developing Areas, Tennessee State University, College of Business. Available at <http://muse.jhu.edu/article/609334>

¹³ The Legal Aid Bureau is under the Prime Minister's Department, whereas aid through the Legal Aid Centre is offered by the Bar Council through the National Legal Aid Committee.

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assets were in her husband's name. Furthermore, Rachel was able to bypass the normal waiting period to be assigned a lawyer for her divorce case—wherein an individual must first show that they have been separated for two years—by providing proof that she was a survivor of domestic violence.

Another area in which the law recognises the trauma experienced by survivors of domestic violence is in the Law Reform (Marriage and Divorce) Act 1976 (LRA). Under Section 50 of the LRA, no divorce petition may be granted prior to two years from the date of marriage. However, there is a provision for exceptional circumstances or hardship suffered by the petitioner, which may be argued in domestic violence cases, so that if there is evidence supporting the allegations of abuse (e.g. police report or IPO), individuals may bypass this waiting period.

These provisions provide positive examples of how law and policy can be shaped to acknowledge the unique and complex experiences of domestic violence survivors, and to enhance the ability of these survivors to access justice and move forward with their lives.

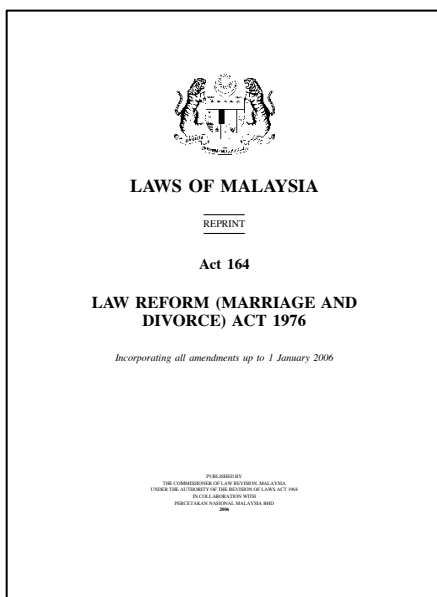
HIGHLIGHT 9: JPN MARRIAGE TRIBUNAL PROCEDURES PUT SURVIVORS AT RISK

Married couples are required to attend marriage tribunals at Jabatan Pendaftaran Negara (JPN) when they wish to divorce. This poses challenges to domestic violence survivors seeking to divorce their abusers, as Cases 2 and 3 demonstrate.

Case 2 highlights the issue of non-Muslim survivors being required to attend the marriage tribunals in the location where they last resided, which is typically where they lived with their abusive spouse. In domestic violence situations, this can be very problematic when a survivor has moved away from her last address to escape the abuse of her husband. To make the survivor travel back to the area where the perpetrator resides can cause great fear and trauma for the survivor, and also puts her safety at risk. It may also be financially burdensome for survivors, who may have to borrow money or take time off work to travel back and forth to the tribunal.

In Case 3, Nandita and her WAO social worker were put in a dangerous position when they had to return to the area where Nandita had previously resided with her husband to attend her marriage tribunal. However, even more detrimental than having to attend the tribunal in this geographic area was the fact that Nandita was called for the tribunal together with her perpetrator. As detailed in Case 3, clients can be put at grave risk of harm if required to be in the presence of their perpetrator.

Attendance at the JPN tribunals is mandated by Section 106(5)(a) LRA, but, importantly, this section does not require that the parties be present and heard together. This is crucial, as many women, and even JPN officers, judges, lawyers, and social workers are not aware that it is not a requirement for the parties to appear together at a JPN tribunal. Despite this, in WAO's experience, most of the time women *are* called to appear at the same time as their husbands, even in domestic violence situations.



Section 106(1)(vi) of the LRA does set out the possibility of an exemption from the marriage tribunal 'where reference to a conciliatory body is impracticable'. However the legal fees associated with applying for this exemption would typically be around RM 5,000-6,000, which is cost-prohibitive for many women.

HIGHLIGHT 10: GENDER-DISCRIMINATORY POLICIES CREATE DIFFICULTIES WITH SCHOOL TRANSFERS FOR DOMESTIC VIOLENCE SURVIVORS AND THEIR CHILDREN

Survivors of domestic violence must deal with a host of issues in their moment of crisis. These issues include ensuring the immediate safety of themselves and their children, which requires the intervention of the police and the welfare department. After the initial challenges, there are many other issues that a survivor must deal with as she works to rebuild her life. In some ways, dealing with the issues that arise in the aftermath of the crisis can be more challenging, as much emphasis is placed on institutionalising policies and procedures relating to services provided to the survivor during the crisis, with less emphasis being placed on policies and procedures related to issues that may arise after the crisis.

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Among these issues is that of transferring a child's school from the location where the child previously resided with her mother (the survivor) and her father (the perpetrator) to a new location where she is residing with her mother or being cared for by another party.



In Case 2, despite the domestic violence she and her children had endured, Mary was not successful in transferring her children to a different school because their father objected to the transfer. As a result, Mary's children were forced to remain out of school for a period of time. In Case 13, Crystal's children were transferred to a different school without her knowledge, and Crystal was informed that her husband had the right to request this transfer unilaterally, without Crystal's consent. Crystal was told that only in cases where the mother has a custody order can the school complete the transfer without the father's permission.

These cases indicate a lack of a uniform policy around the transfer of a child's school, adversely affecting domestic violence survivors and their children. A uniform policy should immediately be implemented which takes into account the best interests of the child, as well as Section 5 of the Guardianship of Infants Act 1961, which gives each parent equal guardianship rights over the children.

HIGHLIGHT 11: FIRST RESPONDERS' LACK OF AWARENESS OF PROVISIONS AND DUTIES UNDER DVA LEAVES SURVIVORS VULNERABLE TO FURTHER HARM***Insensitivity to domestic violence and victim-blaming***

Though the enactment of the DVA was the first step in highlighting the seriousness of domestic violence, many members of society still think of domestic violence as a private, family matter—one that should be dealt with within the home rather than with external parties such as the police or courts. This perception is reinforced by traditional notions of gender roles, which shape not only the content of laws, but also how these laws are enforced. In addition to insensitivity, these traditional notions manifest in victim-blaming behaviours, whereby the actions of the perpetrator are minimised, and the responsibility for the wrongful act is placed on the victim.

As such, even those protections that are afforded in law and policy to survivors of domestic violence may not in actuality be made available to survivors, due to reluctance on the part of relevant officials to intervene in domestic violence cases. These reservations, coupled with a lack of understanding and sensitivity around gender issues and a lack of knowledge of the relevant laws, prove detrimental to the effectiveness of the DVA as a means of protecting survivors and deterring perpetrators.

Cases 6, 12 and 16 illustrate certain harmful practices of state responders to domestic violence that may dissuade a survivor from returning to seek help in the future. In Case 6, Sarah had filed twelve police reports over the years, but no investigation paper was ever opened; rather, the police simply called Sarah's husband and gave him a warning. Even worse, however, was that when Sarah returned to the police station to file another report, the police asked her why she was still getting pregnant, without actually acknowledging the domestic violence she had endured. Such remarks indicate a reluctance to view DV in a serious manner, and a mentality of placing the blame for DV on the victim and mitigating the culpability of the perpetrator.

This lack of sensitivity and awareness was similarly demonstrated by the JPN officer in Case 6, who advised Sarah to think about what was best for her children and return to her husband. Such comments—besides showing a lack of understanding—may also cause actual harm to a survivor, who may believe that her choice to leave her abusive situation is wrong, and that she is somehow being selfish in wishing to escape the violence. Many survivors struggle to overcome such feelings of shame and guilt, and to have such notions reinforced by other members of the community—particularly those who are in positions of authority—can be detrimental to the survivor's well-being.

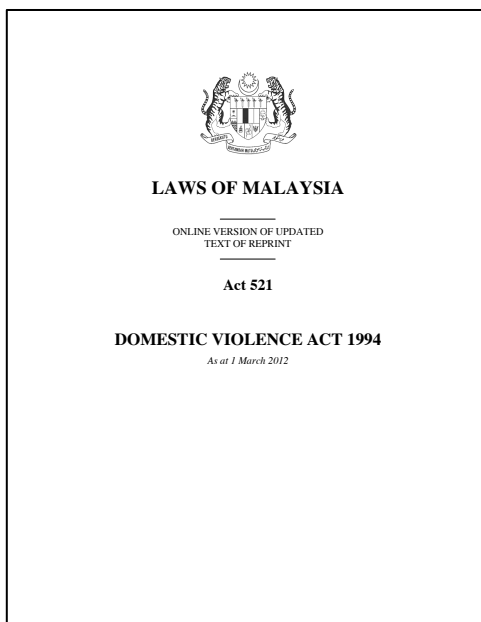
A similar insensitivity to the experience of domestic violence survivors is illustrated by Case 12, wherein both the police officer and immigration officer Diya interacted with in trying to retrieve her stolen passport refused to help her, despite knowing her circumstances. In this case, Diya also believed that her uncle, an influential police official, may have been misusing his power to track Diya's whereabouts.

Finally, the IO in Case 16 was reluctant to investigate the case and refused to issue a referral for an IPO, telling J that this was a "personal family matter." Again, the display of such attitudes by those in positions of authority who are supposed to be assisting the survivor can be extremely harmful, as the survivor may think she is doing something wrong in seeking help, or may decide not to return to the police for fear of the response she may get.

Lack of awareness of roles and responsibilities under the law

Both a reluctance to treat DV as a crime and not simply as a family matter, as well as resulting insensitivities demonstrated by first responders, can be remedied through proper training. This training can not only dispel misconceptions and shift attitudes around domestic violence, but also clarify for a first responder what his or her responsibilities under the law are.

The police are first responders in most cases of domestic violence. As Cases 5, 9, and 18 demonstrate, the police play a critical role not only in taking actions to investigate the case and make a referral to the DPP to press charges, but also in providing critical information to the survivor at various stages in the process. In Case 9, the police did not inform the survivor of the availability of an IPO, and so despite the fact that Bina had gone to the police several times to file police reports, she was never aware that the law provided some further protection of which she could avail herself.



In Case 5, neither the police nor the DPP kept Noor informed when her husband was brought to trial. A lack of up-to-date information can have grave consequences for a survivor, as she may not know when she is protected and when she is at risk of further abuse or harassment by her abuser. For example, an IPO is only valid until the time the investigation of the case by the police ends and the case is charged in Court, so if a survivor is not informed that the case has been charged, then she may believe the IPO to still be valid, without realising that she is unprotected. Similarly, if a survivor is not kept informed when her perpetrator's case goes to trial, she will be unaware of whether he has been acquitted or convicted, as well as of whether the PO is still valid and when he is released from prison (if sentenced to serve time), and may believe herself to be safe when she is in fact at risk. In Noor's case, her husband came to look for her as soon as he was released from prison.

Cases 18 and 20 illustrate instances—that could have been avoided with proper training—of first responders being unaware of their responsibilities and proper procedures under the DVA. In Case 18, the Investigation Officer (IO) was unaware of the process to apply for a Protection Order (PO) until the WCC

***Lack of Action by First Responders to Domestic Violence Can Lead to Death:
The Case of Nurhidayah A. Ghani***

Ultimately, a lack of awareness on the part of first responders to domestic violence as to their own duties and responsibilities under the law—as well as to what are the rights of a survivor—can have grave consequences. Among these consequences are the survivor returning to an abusive situation, the perpetrator not being held responsible for his crime and, in some cases, even the death of the survivor.

This latter outcome was seen in the tragic case of Nurhidayah A. Ghani, who suffered from domestic violence at the hands of her husband for a decade. Although Nurhidayah left her abusive home many times and had also filed more than ten police reports between 2009 and 2013, ultimately, domestic violence claimed her life when her husband beat her to death on 17th May 2013. Almost four years later, on 20th January 2017, her husband was convicted of murder under Section 302 of the Penal Code.

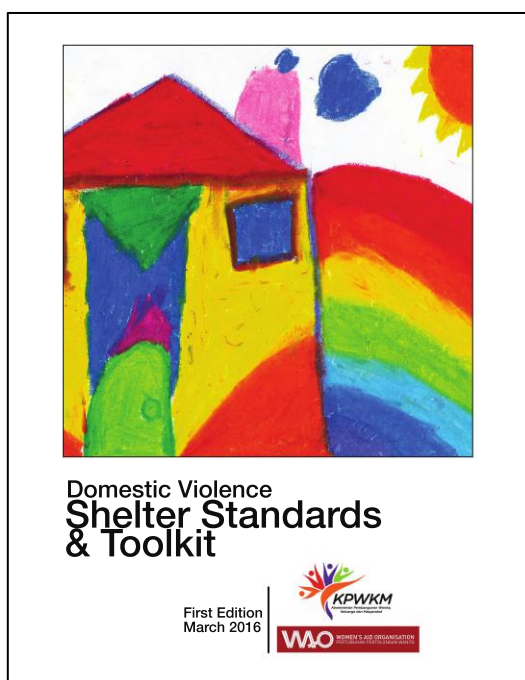
Although justice was finally served in Nurhidayah's case, her death could have been prevented had the community intervened. The authorities refused to arrest Nurhidayah's husband despite the fact that he had violated the IPO and repeatedly harassed Nurhidayah and her family. The surrounding community also failed to reach out, dismissing domestic violence as a personal family matter. According to Nurhidayah's sister, the neighbors had heard Nurhidayah's desperate cries for help, but they looked the other way.

Nurhidayah's case illustrates the dire consequences that may result when a coordinated community response to domestic violence is not taken, and first responders are unaware of their obligations under the law or simply do not carry them out because they do not view domestic violence as a serious matter.

social worker referred him to the *Garis Panduan*. Despite this, the IO erroneously applied for an IPO instead of a PO, and was subsequently reluctant to resubmit the application. Similarly, in Case 20, the IO refused to provide Z with a referral letter for an IPO, stating that he would only assist Z with a divorce application. Such lack of knowledge on the part of first responders can not only shake the survivor's confidence in her ability to seek help and escape her abusive situation, but can cause significant delays in ensuring the survivor access to protection and justice.

HIGHLIGHT 12: ADOPTION OF UNIFORM SHELTER STANDARDS CAN IMPROVE AND INCREASE SHELTER SERVICES ACROSS THE COUNTRY

Shelter is one of the most critical components of crisis response for survivors of domestic violence. Many survivors are without family or friends they can turn to, and have nowhere to go even if they decide they are prepared to leave their abusive home. For these women, access to shelter can be life saving.



Every year, only a few hundred women are able to seek shelter services at one of the 42 shelters gazetted by the Malaysian government. Of the 42 shelters, 34 are government shelters. In the five-year period between 2008 and 2012, these government shelters housed on average a total of just 32 domestic violence survivors each year (the shelters housed other women who were not domestic violence survivors).¹⁴ WAO, the largest gazetted shelter provider, shelters roughly one hundred domestic violence survivors each year (117 women in 2016). Demand for WAO's shelter services consistently exceeds capacity.

The shelters that are most beneficial to survivors are those that do not simply give them a bed to sleep in and a roof over their heads; shelter also means facilitating a survivor's access to physical safety, legal protection, justice, and the post-shelter support that will empower her to move towards a better, safer future that is free from violence.

¹⁴ Domestic Violence Shelter Standards and Toolkit. First Edition, March 2016. Women's Aid Organisation.

Case 7 Highlights a situation where a survivor sought refuge at a government shelter after enduring years of abuse, but was not provided any practical support during her time at the shelter. Furthermore, she was not given any notice about when she would have to leave the shelter, and was simply told after two months that she must pack her things and move out immediately. Such provision of shelter services is not only not productive, but can cause further harm to a survivor who is already dealing with the trauma of domestic violence and has been forced to uproot from her home and her life.

In 2016, WAO published the Domestic Violence Shelter Standards and Toolkit, in conjunction with the Ministry of Women, Family and Community Development. The creation of these shelter standards was founded on the belief that, while not every woman survivor will be in need of shelter, its availability increases her choices and offers alternatives to living in violence. Furthermore, in order for the provision of shelter to be effective and positively impactful, it must be standards-based, deriving from the specific needs of domestic violence survivors, and ensuring that a minimum level of security, confidentiality, and other factors are met.

It is WAO's vision that these shelter standards will be adopted by all existing domestic violence shelters in Malaysia, and also provide guidance to organisations looking to open new shelters. We also hope these standards will spur government action to ensure enough shelter is available throughout the country, either by funding or operating shelters.

HIGHLIGHT 13: VULNERABLE COMMUNITIES OF WOMEN ARE BOTH MORE SUSCEPTIBLE TO DOMESTIC VIOLENCE AND FACE MORE OBSTACLES IN ESCAPING IT

Foreign survivors and survivors married to foreign citizens

In addition to the host of issues typically faced by survivors of domestic violence, survivors who are foreign citizens married to Malaysian men or Malaysian women married to foreign citizens face additional issues posed by their own immigration status or the status of their perpetrator-husband.



Non-citizen wives of Malaysian men are entirely dependent on their husbands to renew their visas, and by extension to legally work, open bank accounts, and access financial credit. Non-citizen wives are thus more vulnerable to social isolation and abuse and face more obstacles

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in escaping their abusive situations, as illustrated by Case 8 and Case 11. However, it should be noted that a non-citizen spouse who is experiencing DV may apply for a DV spousal visa, which is typically granted for a longer period than a temporary pass, e.g. for six months to one year. However, this requires showing certain proof of DV, such as a police report, and also obtaining a local sponsor who resides in the state in which the survivor is applying for the visa.

In Case 8, although Sofia, an Indian citizen, had been married to her husband for ten years, her husband refused to apply for a birth certificate for their youngest child. In that situation, where Sofia would have a marriage certificate to prove that she and her Malaysian husband are legally married, her husband still either had to be present or, as WAO was informed by JPN, provide his original IC in order for the child to be registered as a Malaysian citizen.

Conversely, Case 10 illustrates issues faced by domestic violence survivors who are Malaysian women married to foreign citizens. In addition to potentially facing stigma from their families for having married someone outside of their community, these survivors may also be more vulnerable to financial abuse, particularly if their spouses are not able to legally work in Malaysia and are entirely reliant on the survivor for financial support.

Refugees and asylum-seekers

The power imbalance and associated factors that contribute to and characterise domestic violence--including financial dependence and social isolation-- may be exacerbated for refugees and asylum-seekers who have left their home countries to seek protection. Some of the issues faced by domestic violence survivors who are refugees, asylum-seekers, and individuals who become undocumented are highlighted in Cases 14 and 15.



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In Case 14, Catherine, who was an asylum-seeker in Malaysia, did not have access to the support of her family, since she was alone in Malaysia. In Catherine's case, her husband forced her to work and lived off of her earnings. However, the lack of recognition of the right to work for refugees in Malaysia means that refugees and asylum-seekers are pushed into the informal workforce, and so they are without recourse to legal employment rights and are vulnerable to exploitation by their employers. Due to Catherine's prior negative experiences with enforcement officers, she did not seek help from the police and endured the violence until she was referred to Good Shepherd. This reluctance to engage with the authorities more than is absolutely necessary is likely quite common among refugees and asylum-seekers, whose experiences may lead them to view the police as adversaries rather than allies.

Case 15 highlights a case where the abuser was a family member; this type of abuse also falls under the scope of the DVA. Cindy was orphaned and brought to Malaysia by her sister, who forced her to work in her home, and refused to renew Cindy's passport when it expired. Cindy was made further vulnerable by her lack of documentation, which further exacerbated her social isolation in Malaysia and complete dependence on her sister and her family. As this case illustrates, even individuals who enter Malaysia with documentation may later become undocumented and vulnerable to various forms of abuse and exploitation.

HIGHLIGHT 14: TRAUMA ASSOCIATED WITH DOMESTIC VIOLENCE DEMONSTRATES THE NEED FOR A SURVIVOR-CENTRED RESPONSE

Psychological trauma is defined as "the unique individual experience of an event or enduring conditions, in which the individual experiences (subjectively) a threat to life, bodily integrity, or sanity."¹⁵ Trauma can result from a single event (e.g. a natural disaster) or an ongoing series of events (e.g. being physically and emotionally abused over an extended period of time), with the latter typically resulting in the most serious and prolonged response, such as mental health issues.¹⁶ The lasting effects of trauma include depression, anxiety, personality disorders, substance abuse, and eating disorders, among other things.¹⁷

The trauma endured by survivors of domestic violence is illustrated in various ways throughout the case studies. In Case 3, Nandita, who had been physically, psychologically, and socially abused by her husband for ten years was visibly terrified at the sight of him. In Case 12, Diya, grew up in an abusive

¹⁵ Giller, Esther. "What is Psychological Trauma?" Sidran Institute. Available at: <https://www.sidran.org/resources/for-survivors-and-loved-ones/what-is-psychological-trauma/>

Citing Saakvitne, K. W. et al., *Risking Connection®: A Training Curriculum for Working with Survivors of Childhood Abuse*, to be published by Sidran Press in January, 2000.

¹⁶ Ibid.

¹⁷ Ibid.

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household, witnessing her father's abuse of her mother, and then later entered an abusive relationship herself, which may be related to the trauma she experienced as a child. In Case 17, L was subjected to abuse by her husband in the form of slapping, kicking, and being told to "go and die," even while she was pregnant. As a result of this abuse, L suffered from depression and became suicidal.

It is critical that the trauma endured by survivors of domestic violence be taken into account when conceptualising and implementing a coordinated multi-stakeholder response. Although among the principles emphasised in the *Garis Panduan* are prioritising the welfare of victims, including their safety and comfort in providing assistance or services, this is not something that is being widely or consistently done at this point in time.



Recommendations



RECOMMENDATIONS

There are several critical gaps in the response and protections available to survivors of domestic violence, as raised by the highlights:

- **Survivor-centred response:** The system needs to inspire confidence from all sides. The system fails survivors when they feel unsupported and when they are not accorded their due rights. We recommend a thorough review of barriers women face in accessing justice and protection; training of all service providers to understand better the challenges of being a domestic violence survivor; increasing information available publicly; and strengthening communication with survivors about their cases.
- **Data and evidence:** Greater understanding of domestic violence, profiles of survivors, and information on perpetrators and domestic violence related crimes are crucial to ensure we have a complete picture to plan, target resources, and monitor progress. We recommend that the government review current data collection procedures, and refocus data collection on domestic violence matters—including data disaggregated by age, gender, and relationship of the perpetrator to the survivor—to better understand the dimensions of domestic violence. This should be accompanied by a central case management database, accessible to all state responders.
- **Training and awareness:** All stakeholders have a critical role to play in stopping abuse and ensuring that the survivor is supported. We recommend all front-line state service providers and court officials receive comprehensive training within a common learning platform built around the Garis Panduan. A key need is to change perceptions of women survivors, foster full understanding of their needs, and promote sensitivity and understanding of the many dimensions of domestic violence. In this way, service providers would be able to ensure the most appropriate response is given to all survivors. Service providers must not focus on reconciliation or assume that the survivor will retract reports, and must instead focus on supporting the woman through her difficult journey.
- **Strengthening legislation:** We recommend that current legislative reforms pending tabling in Parliament are prioritised and passed, and that additional legislative amendments are introduced to close the gaps.

Associated with these critical areas are the following specific recommendations, some of which were previously made in WAO's 2015 publication, "Working Together: Case Studies in Domestic Violence Response."

TO PARLIAMENT

Recommendation 1. Pass the Ministry of Women, Family and Community Development's Bill to Amend the DVA

Amendments to the DVA have been committed to by the Ministry of Women, Family and Community Development,¹⁸ with substantive input having been provided by WAO, as part of the Joint Action Group for Gender Equality (JAG). Among the positive aspects of these amendments are:

- ✓ the recognition of the survivor's right to exclusive residence
- ✓ the elimination of reconciliatory counselling, and the requirement that the survivor consent before the Court can issue an Order for her to undergo counselling
- ✓ the provision of an Emergency Protection Order (EPO), which would allow a survivor to obtain protection against imminent violence
- ✓ the clarification of when protection under the IPO ends and protection under the PO begins

WAO urges Parliament to enact the Ministry of Women, Family and Community Development's bill to give these amendments the force of law so that they may be implemented.

TO THE MINISTRY OF WOMEN, FAMILY AND COMMUNITY DEVELOPMENT

Recommendation 2. Pursue additional amendments to strengthen the DVA

While WAO applauds the government for its initiative in undertaking certain amendments to the DVA, there are still additional changes required in order for the Act to be truly and comprehensively protective of women suffering from domestic violence. Among these additional changes are the following:

- **Broaden the definition of domestic violence in section 2 of the DVA to include abuse between intimate partners**
 - Domestic violence is characterised by repetitive violence, power imbalance, and control by the perpetrator over the survivor. These characteristics can be present in violence between intimate partners who are not married.
 - It is an international best practice to include intimate partners as a type of relationship covered under domestic violence laws. The United Nations Handbook for Legislation on Violence Against

¹⁸ Kannan, Hashini Kavishtri. "Stalking, violence among lovers, to be included in amended Domestic Violence Act." New Straits Times. 20 October 2016. Available at <http://www.nst.com.my/news/2016/10/181893/stalking-violence-among-lovers-be-included-amended-domestic-violence-act>

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Women recommends that domestic violence “legislation should apply at a minimum to individuals who are or have been in an intimate relationship, including marital [and] non-marital” relationships.¹⁹

- o Of the 110 domestic violence survivors who sought shelter with WAO in 2014, five women were abused by their boyfriends, the same amount or more who were abused by a parent, sibling, or other family member—relationships all covered by the DVA.

- **Recognise stalking in the DVA as a form of domestic violence**

- o Stalking is not a crime in Malaysia. Studies conducted in other jurisdictions show that stalking is highly dangerous. The majority of stalkers have been in relationships with their victims, but there are many who either never met their victims, or were just acquaintances.²⁰

- **Amend section 7 of the DVA so that a power of arrest is attached to every IPO and PO**

- o If a defendant is likely to violate the protection order in ways other than actual physical violence, the victim is not necessarily protected through the IPO with powers of arrest. Victims are also not protected from defendants who do not seem likely to cause physical injury, but who subsequently do commit a violent act.
- o An explicit power of arrest will make it clear to enforcement officers that they can make an arrest.

- **Enable survivors to obtain protection without prosecution**

- o Although an EPO is slated to be introduced as part of the set of amendments to the DVA that are anticipated to be tabled in the next Parliamentary sitting, these amendments remain to be passed, and it also remains to be seen how the provision for an EPO will be implemented.
- o Thus, it is necessary to also ensure that survivors can fully utilise the already existing provisions for IPOs and POs. However, currently, domestic violence protection from the police can only be obtained if the police carry out an investigation, which could eventually lead to prosecution. Survivors cannot obtain IPOs if they choose not to lodge a police report against a perpetrator. Because of this, women who only seek protection but do not wish

¹⁹ United Nations Department of Economic and Social Affairs, Division for the Advancement of Women, “Hand- book for Legislation on Violence Against Women”, 2010. Pg 25. See <http://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf>.

²⁰ Joint Action Group For Gender Equality (JAG) Proposed Amendments To Laws Concerning Domestic Violence. 4 November 2013

to have their abusive partner prosecuted may be reluctant to seek protection from the police. Further, if an investigation ends or is not carried out by the police, a survivor will not have protection.

- o A remedy should be created for survivors who seek protection independent of prosecution. It is important to note that protection of the survivor does not limit the lawful rights of an alleged perpetrator, as this person would only be prohibited from committing violent acts.

- **Extend the duration of the PO to protect survivors from on-going risk of harm**

- o As many domestic violence cases illustrate, the risk of harm to the survivor does not end even with the perpetrator being charged with the crime and going to prison; survivors often deal with an on-going fear of being found by their perpetrator even once they have served their punishment. However, the law does not currently account for this on-going harm, and leaves survivors vulnerable.
- o The law should be amended so that a PO is valid until the point where the abuser can prove that they no longer pose a threat to the survivor.

Recommendation 3. Conduct a comprehensive review of the DVA, Penal Code, and other relevant laws to assess compliance with CEDAW

As part of Malaysia's obligations under CEDAW, which it ratified in 1995, the government must take progressive measures toward eliminating discrimination against women. In its General Recommendation 19, the CEDAW Committee has recognised the link between discrimination and gender-based violence²¹, and outlined the state's obligation toward addressing both discrimination and gender-based violence. Among the state's obligations are enacting appropriate laws, which are in compliance with the principles embodied in CEDAW.

To this end, WAO urges the Ministry of Women, Family and Community Development to conduct a comprehensive review of all relevant domestic laws, including, but not limited to, the DVA, Penal Code, and Employment Act, and propose amendments as necessary to bring these laws into full compliance with CEDAW.

²¹ See Footnote 5

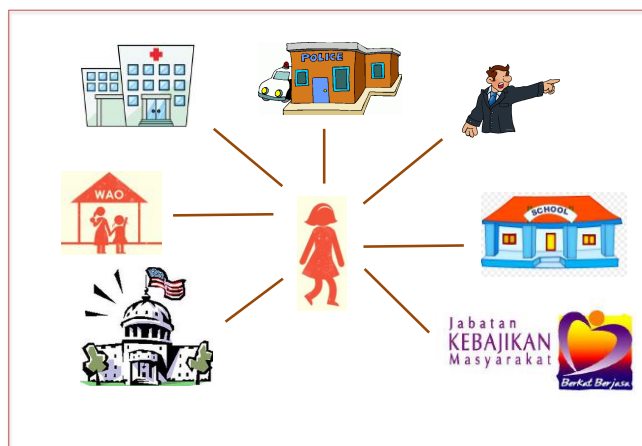
Recommendation 4. Propose a gender equality bill for enactment by Parliament

Among the government's other obligations under CEDAW, perhaps the foremost is to incorporate CEDAW into domestic law, as without this, individuals cannot seek redress for harms done in violation of the principles of the convention. In the 2014 case, *AirAsia Bhd v Rafizah Shima bt Mohamed Aris [2014] 5 MLJ*, the Court of Appeal ruled that CEDAW did not have the binding force of law in Malaysia since it had not been expressly incorporated into domestic law. As such, a comprehensive 'Gender Equality Act' must be introduced into domestic law, which defines discrimination, articulates acts constituting discrimination, and outlines remedies for such discrimination.

In November 2016, the Minister of Women, Family and Community Development announced that gender equality legislation was in the works,²² and that the Ministry was committed to enacting this by the end of 2017. JAG is putting together a draft gender equality bill for the Ministry's consideration. WAO urges the Ministry to see this commitment through and ensure that comprehensive gender equality legislation is introduced into Parliament and enacted.

Recommendation 5. Create a multi-stakeholder committee for on-going review of response to DV

There is insufficient monitoring and evaluation by the government of its handling of domestic violence cases. The Social Welfare Department chairs an inter-agency committee on domestic violence. However, it is unclear whether the committee is operational, and it does not include relevant NGOs, even though NGOs are the majority service providers for domestic violence survivors. A multi-stakeholder committee must be established, with the inclusion of NGO service providers and experts. Regional or state-level multi-stakeholder committees should also eventually be established, consisting of relevant local,



²² Kumar, Kamles. "Minister Now Says Gender Equality Act in the Works." Malay Mail Online. 2, November 2016. Available at <http://www.themalaymailonline.com/malaysia/article/minister-now-says-gender-equality-act-in-the-works>

state, and federal government agencies and NGOs which meet at least twice a year.²³

Recommendation 6. Increase funding for domestic violence shelters

There exists a large gap between needs and availability of services.

Every year, only a few *hundred* women are able to seek shelter services at one of the 42 shelters gazetted by the Malaysian government. Of the 42 shelters, 34 are government shelters. In the five-year period between 2008 and 2012, these government shelters housed on average a total of just 32 domestic violence survivors each year (the shelters housed other women who were not domestic violence survivors). WAO, the largest gazetted shelter provider, shelters roughly one hundred domestic violence survivors each year (117 women in 2016).

In contrast, a study conducted by the Women's Development Research Centre (KANITA) in *Universiti Sains Malaysia* estimated that *hundreds of thousands* of women in Malaysia have experienced domestic violence in their lifetime.²⁴ While not every survivor needs shelter in a particular year, the study suggests the needs are *orders of magnitude* larger than what existing services provide. Demand for WAO's shelter services consistently exceeds capacity.

Additionally, as discussed in Highlight 12, shelter services can provide a variety of social work and counselling services beyond ensuring a safe place to stay. The provision of such services to domestic violence survivors is discussed, among other issues, in the Domestic Violence Shelter Standards and Toolkit, which was launched by WAO and the Ministry of Women, Family and Community Development in 2016.

More resources should be allocated to domestic violence shelters, including funding new (government and NGO run) domestic violence shelters, and in supporting and improving existing shelters to bring their services in line with the best practices outlined in the Domestic Violence Shelter Standards and Toolkit, so that eventually a nation-wide network of these shelters is established.

²³ For a comparative model, see the "Protecting Families from Violence: The Singapore Experience", the Ministry of Community Development, Youth and Sports, Singapore, 2009: http://app.msf.gov.sg/Portals/0/Summary/research/Protecting%20Families%20from%20Violence_The%20Singapore%20Experience_2009.pdf

²⁴ Shuib, R., Ali, S. H., Abdullah, S., Ab Ghani, P., Osman, I., Endut, N., . . . Shahrudin, S. S. (2014). Executive Report, Summary of Findings: A Country Level Study of Women's Well-being and Domestic Violence Against Women (DVAW) Using WHO Multi-country Questionnaire. Pulau Pinang: Women's Development Research Centre (KANITA), Universiti Sains Malaysia.

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Recommendation 7. Implement a targeted public awareness campaign to educate both survivors and the public on DV

A lack of awareness around DV is not limited only to government responders; members of the community and many women themselves are not aware of what constitutes domestic violence, the fact that it is a crime, and how one can seek help.

As the government agency dealing specifically with women's issues, the Ministry of Women, Family, and Community Development is uniquely positioned to launch a comprehensive and targeted public awareness campaign that incorporates information for women on their rights and where to seek support services.

TO THE ROYAL MALAYSIA POLICE (PDRM)

Recommendation 8. Incorporate psychological first-aid and crisis counselling as part of survivor-centred response

As emphasised in Highlight 14 and several of the case studies, survivors of domestic violence have undergone trauma, and suffer from a variety of consequences as a result of this. Thus, it is critical that, when survivors seek help from the police and other state responders to DV, they receive a specialised response that is sensitive to their unique needs. The current response to DV does not account for the trauma that survivors have endured.

To address the needs of survivors and ensure that the response from the police—who are often the first responders in DV cases—act in a manner that is sensitive to these needs, specialised staff must be placed in each police district to address the psychological needs of survivors, including through delivering psychological first aid and counselling. While currently, the role of the Victim Care Officer (VCO) exists to serve this function, as of early 2016, there were only approximately two dozen VCOs for the entirety of the country. As illustrated by the case studies, many survivors do not receive any form of specialised support from the VCO programme, and additional specialised staff is needed. Additionally, all police officers should be trained in basic techniques to sensitively respond to survivors of trauma. The core principles of psychological first aid—1. promoting safety, 2. promoting calming, 3. promoting connectedness, 4. promoting hope, and 5. promoting help—must be incorporated into this training.

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Recommendation 9. Re-allocate more funds to increase police personnel who handle domestic violence cases.

IOs dealing with domestic violence cases are overworked, sometimes working 24-hour shifts. There is also a lack of supporting personnel, such as counselors, to assist front-line officers, and a lack of specialised staff equipped to deal with the unique needs of survivors of domestic violence.

To demonstrate that responding to domestic violence is a priority, the budget within the police force can be re-allocated to increase the number of front-line officers handling domestic violence cases, as well as provide more support for these officers, for example via access to counsellors and regular training.



Recommendation 10. Broaden efforts to train front-line police officers in gender sensitivity and handling of domestic violence cases

As the police are typically the first responders to domestic violence, their interactions with survivors must be sensitive, open, and understanding. While there are undoubtedly many police officers that conduct their duties professionally, there are also those who do not, as the case studies suggest. This includes those who bring their own beliefs, prejudices, and values into their interactions with survivors, resulting in treatment that may be insensitive and minimise the experience of survivors.

It is important that every front-line police officer is well trained on the DVA, the *Garis Panduan*, and other relevant laws and procedures, as well as how to appropriately interact with domestic violence survivors.

It must be emphasised, for example, that consistent with the law, protection must be the first priority and that reconciliation is not under the purview of the

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police. Additionally, it must be emphasised that domestic violence is a crime, and victims should not be blamed.

Recommendation 11. Introduce standardised inter-agency referral process

Government agencies and police districts lack a standardised referral process. Although police consistently act as first responders in the majority of domestic violence cases, pursuant to the guidelines of the *Garis Panduan*, an effective police response includes collaboration with other relevant stakeholders, including NGOs, the welfare department, and hospitals.

A standardised referral process that is in compliance with the *Garis Panduan* should be implemented to create consistency, allowing for immediate referral by police to survivors in need of crisis support services, temporary shelter, medical attention, an IPO, financial assistance, or other services.

TO THE MINISTRY OF HOME AFFAIRS

Recommendation 12: Propose amendments to the Immigration Act 1955/63

Current laws discriminate against foreign wives of Malaysian citizens. Women married to Malaysian men are not able to renew their spousal visa, open bank accounts, or access credit without the consent of their husbands. This makes them more vulnerable to domestic violence and creates additional barriers for them to escape abusive situations.

TO THE MINISTRY OF EDUCATION AND ALL SCHOOLS

Recommendation 13: Create uniform and gender-equal policy around parental consent for school transfers, with recognised exception for DV cases

When a domestic violence survivor escapes an abusive home with her child, she often relocates to another area away from the perpetrator. Typically consent of the father is required to transfer a child to a different school, a policy which is discriminatory against the mother.

The relevant laws and policies surrounding a school transfer need to be amended, so the consent of both parents or guardians is required to complete a school transfer, with an explicit exception for domestic violence cases. Domestic violence survivors must be able to transfer schools without the knowledge or consent of the perpetrator-parent, through showing an IPO, a reference letter from JKM, or other appropriate evidence. In this way, survivors

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and their children can rebuild and continue their lives with minimal disruption. Such a policy would take into account the best interests of the child.

To JABATAN PENDAFTARAN NEGARA (JPN)

Recommendation 14: Allow DV survivors to apply for divorce in any jurisdiction

Currently, domestic violence survivors are restricted to applying for a divorce in the jurisdiction where they last resided, which is typically where they lived with their perpetrator-husband. This means that, in order to attend the three mandatory JPN tribunals, a survivor is forced to return to the location where she last resided with her perpetrator, which may put her in serious danger and cause her to experience fear and trauma.

WAO urges JPN to revise this policy to allow survivors to apply for a divorce and attend marriage tribunals in any area, in order to ensure the survivor's physical and emotional well-being.

Recommendation 15: Abolish practice of joint attendance requirement at marriage tribunals

Attendance at the JPN tribunals is mandated by Section 106(5)(a) of the Law Reform (Marriage and Divorce) Act 1976, but, importantly, this section does not require that the parties be present and heard together. Despite this, in WAO's experience, most of the time women *are* called to appear at the same time as their husbands, even in domestic violence situations.

This shows a discrepancy between policy and practice, which indicates a lack of training. To rectify this, JPN should engage in training of its officers and active dissemination of its policies to its staff and relevant stakeholders. By ensuring that JPN officers, survivors, and other stakeholders are aware that the current JPN policy does not require both parties in a divorce proceeding to attend a marriage tribunal at the same time, risk to survivors of domestic violence can be minimised.

Recommendation 16: Introduce protocols ensuring survivor's safety at Marriage Tribunals

To further secure the safety of DV survivors, WAO urges JPN to implement procedures placing security staff or police officers on-call in the event that a survivor is threatened or put at risk of harm when attending her marriage tribunal. A separate and secured entrance and exit to the facility would also be helpful in high-risk situations.

TO THE LEGAL AID BUREAU (LEGAL AFFAIRS DIVISION, PM'S DEPARTMENT)

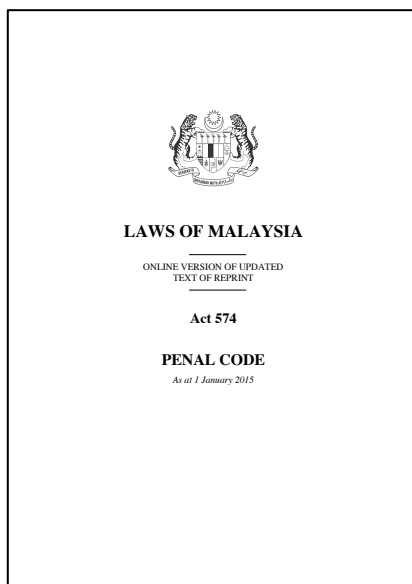
Recommendation 17: Raise maximum income to qualify for Legal Aid in DV Situations

The current maximum income allowed in order to obtain legal representation from the Legal Aid Bureau is RM25,000 per annum (RM2,084 per month). Unfortunately, this results in many domestic violence survivors falling through the cracks, as many survivors earn above the threshold, but still not enough to be able to support themselves and their families and afford legal representation. Although there is an exemption wherein the merits of the case are considered, the default maximum eligible income should be raised for DV cases in order to avoid further burdening survivors.

TO THE MINISTER OF LAW (PRIME MINISTER'S DEPARTMENT)

Recommendation 18: Amend Section 375 of the Penal Code to criminalise marital rape

As highlighted by several of the case studies in this report, sexual abuse is one common form of domestic violence. Among the sexual abuse endured by survivors of DV is marital rape. Currently, under Section 375 of the Penal Code, sexual intercourse without consent is not recognised when it takes place between a man and woman who are married.



Rape

375. A man is said to commit "rape" who, except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the following descriptions:

- (a) against her will;
- (b) without her consent;
- (c) with her consent, when her consent has been obtained by putting her in fear of death or hurt to herself or any other person, or obtained under a misconception of fact and the man knows or has reason to believe that the consent was given in consequence of such misconception;
- (d) with her consent, when the man knows that he is not her husband, and her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married or to whom she would consent;

Exception—Sexual intercourse by a man with his own wife by a marriage which is valid under any written law for the time being in force, or is recognized in Malaysia as valid, is not rape.

Rape, whether or not it occurs in a marriage, is a crime under international standards and in other jurisdictions. Rape within marriage is recognised in the CEDAW Committee's General Recommendation 19, which states: "Within family relationships women of all ages are subjected to violence of all kinds, including battering, rape, [and] other forms of sexual assault." Furthermore, the

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United Nations CEDAW Committee requested the Malaysian government to enact legislation criminalizing rape within marriage in 2006, defining such rape on the basis of lack of consent of the wife.²⁵ We urge the government to immediately amend the language of Section 375 of the Penal Code and stop implicitly sanctioning the practice of marital rape.

We hope that all stakeholders will act on these recommendations and build on the learning points highlighted in this report.

²⁵ Paragraph 22 of the 2006 Concluding Comments by the Committee on the Elimination of Discrimination Against Women.

Case Studies



CASE STUDIES BY WOMEN'S AID ORGANISATION (WAO)

CASE 1 – 999 REPRESENTATIVE REFERS CASE TO NGO; POLICE OFFICER HANDLES CASE SENSITIVELY

Alice lived in Sabah and was being physically abused by her husband. Alice called 999 in Sabah to get help, and they gave her WAO's number from a list of NGOs they had on hand. Alice took a flight from Sabah to peninsular Malaysia one Saturday and, upon landing, called the WAO Hotline. She spoke with a social worker and came to WAO that same day for shelter. At the time, Alice's children were staying with her husband's parents. Subsequently, Alice obtained an IPO for herself and her children, and brought the children to Kuala Lumpur with her.



Alice's husband continued to harass community members in Alice's hometown, including his own parents. He asked his family about Alice's whereabouts, and when they did not tell him, he got angry and torched his parents' home – luckily no one was hurt. He was sentenced to five years in prison for this crime.

Later, Alice's husband was also charged with domestic violence, and a date was set for the trial. The WAO social worker assisting Alice flew to Sabah in order to testify as a witness in support of Alice for the trial. Given her unfamiliarity with Sabah, as well as Alice's husband's violent and erratic history, the social worker reached out to the police in Sabah prior to arriving there. The police officer she spoke with was extremely helpful and sent someone to the airport to pick up the social worker and Alice, and to take them to meet with the DPP handling the case.

The DPP explained the trial process to them and prepared them. The DPP also asked Alice if she wanted to do a Victim Impact Statement, wherein a victim may elaborate on the impact of the perpetrator's crime on her life, which can be taken into account by the judge prior to sentencing. Alice chose not to do the VIS, but ultimately, her husband pleaded guilty and was sentenced to ten months in prison, on top of the five years he was serving for his other crime.

Remarks:

- When Alice called the emergency 999 number in Sabah, the representative was not only aware that they had a directory of NGOs whom callers could be referred to, but also took the initiative to consult the directory and provide Alice with WAO's Hotline number. Such initiative was likely the result of multi-stakeholder communication and engagement, leading to a referral mechanism in which 999 agents had been trained.
- Via the WAO Hotline, WAO was able to provide immediate and critical support to Alice by speaking to her and subsequently providing her shelter. Later, a WAO social worker accompanied her to Sabah for her husband's domestic violence trial and was prepared to serve as a witness.
- The police officer whom Alice's social worker spoke with was extremely helpful and sensitive to the nature of a domestic violence situation, going out of his way to make arrangements to ensure Alice and her social worker's safety and convenience from the time of arrival in Sabah.
- The DPP in Alice's case met with Alice and her social worker beforehand to prepare them for the trial. He was aware of the availability of the Victim Impact Statement, and made sure to give Alice the option of utilising this tool.
- As this case highlights, in domestic violence situations, it is not only the survivor who is at risk of harm, but also her children, her family, and even the perpetrator's family. While in this case an IPO was granted to protect Alice and her children, the IPO did not cover Alice's husband's parents, who were also being harassed and threatened by her husband. He got angry when his parents would not tell him Alice's whereabouts, and torched the house, which could have resulted in grave injury or death.

CASE 2 – *TARIK BALIK* OF POLICE REPORTS; LAST RESIDENCE REQUIREMENT FOR JPN TRIBUNAL

Mary married her husband in 2005, and they had two children. Mary's husband was an alcoholic and did not hold a regular job. The abuse started around three years into the marriage, getting increasingly severe. Her husband would throw a helmet, shoe, hose, or any object he could get a hold of at Mary, and also choke her, step on her stomach, and kick her. Once Mary's husband forced her to take drugs. He would also abuse her mentally and force sex on her regularly. Mary's husband also sometimes abused their daughter.

After one particular incident, Mary was seriously injured. She filed a police report and was admitted to the hospital. Mary's husband was detained for one week in police lock-up, but he phoned Mary at the hospital and asked her to withdraw the police report. Mary withdrew the police report, and after her husband was released the abuse resumed.

Mary left her home to escape the abuse on several occasions before coming to WAO. She had been separated from her husband for some time, but finally had to seek shelter at WAO when her husband was looking for her.

When Mary was scheduled to go for one of her required marriage tribunals at JPN, her husband locked her inside the house and she was not able to attend. She wanted to divorce her husband, but was scared to attend the marriage tribunals after this incident, since she was forced to attend the marriage tribunal in the town where she and her husband last resided. Subsequently, a WAO social worker accompanied Mary for her three marriage tribunals, and also to the Legal Aid Bureau to get a lawyer to file her divorce papers.

After coming to WAO, Mary went twice with her social worker to apply for a school transfer for her children, but after Mary's husband went to the school and made a scene, the school refused to process the transfer, and so her children were forced to be out of school for some period of time.

Eventually, Mary left the WAO shelter, got a job, and rented a place of her own.



Remarks:

- Like Mary, many women retract their police reports upon receiving promises and assurances from their husbands that the abuse will stop. Most of the time, the abuse continues immediately or soon after the survivor withdraws the police report. However, as responders to domestic violence, we must not let this retraction of reports, or 'tarik balik', affect the response a woman gets when she goes to the police station and files a police report.
- Non-Muslim individuals who are filing for divorce must attend three marriage tribunals at JPN. The current policy is that the individual applying for divorce must attend the marriage tribunals in the location where they last resided, which can put domestic violence survivors at serious risk of harm.

- Despite the domestic violence she and her children had endured, Mary was not successful in transferring her children to a different school because their father objected, and so the school would not proceed with completing the transfer.

CASE 3 – JOINT JPN TRIBUNAL RESULTS IN GRAVE RISK TO SURVIVOR'S SAFETY

Nandita had been experiencing physical, psychological, and social domestic violence for more than ten years by her husband, who is a drug addict. Her husband burned her clothes and chased her out of the house, so the client escaped to her sister-in-law's home, and her sister-in-law helped her contact WAO.

With WAO's help, Nandita applied for a divorce, and as part of this process had to appear for three marriage tribunals at the JPN location where she had last resided with her husband. Two WAO staff members accompanied Nandita to her JPN tribunal. As Nandita sat out of sight, the two WAO staff members stood nearby, keeping an eye out for any trouble. It quickly became apparent that there were three men staring at them, who seemed to be taking pictures with their handphones. Nandita said she did not recognise the men; however, she had been locked in her house by her husband, so she did not know who his friends were.

Soon, Nandita's husband and father-in-law arrived. Nandita was very scared at the sight of her husband and father-in-law, and clung on to the WAO staff members. Nandita's father-in-law began to approach the area where she was sitting, and when he saw his daughter-in-law, he summoned her husband, who immediately went to her, knelt before her, and grabbed onto her legs. Nandita was extremely fearful, and protested and tried to pull away, but her husband would not let her go.

One WAO staff member called the police while the other approached the husband and tried to guard Nandita. The WAO staff member asked the husband and father-in-law to step back, as they had both begun to posture towards her, at which point Nandita's brother-in-law arrived and begun threatening and cursing the WAO staff.

The JPN officer finally intervened, asking everyone to sit down. Everyone but the brother-in-law complied, and he continued to verbally attack Nandita. Again, the WAO staff put themselves between the client and the brother-in-law, who then yelled at them, threatening to call the police and saying that they were illegally interfering in "a family matter." The JPN officer came out a second time and asked the brother-in-law to settle down. When the police finally arrived, the JPN officers called everyone into the office for reconciliation.

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Everyone was dismissed and the police left. The WAO staff and the client, were still concerned, however, that the husband's party had remained in the vicinity. They requested to leave through a back door, which the JPN officer laughed off saying that, while of course there was a back door, there was no way he was going to let them through because he 'would not make an exception, lest everyone begins to demand a back-door policy.' The WAO staff tried to compromise, asking him if he would then escort them to their cab, and again, he said that 'that was not a service that JPN provided'. He said that the husband's group "wouldn't dare touch [WAO's client]" and that "there are laws in this country and we should trust them."

The two WAO staff members then implored another female officer for help, and she agreed. In the meantime, Nandita had finished her interview and her husband re-approached her, this time pleading more quietly with her while the WAO staff members stood nearby. The officer who had agreed to help called two other JPN employees to bring the WAO group to the car, while Nandita's husband and six other men stood around the doors and followed the group, still shouting and cursing at them.

Remarks:

- Nandita and her husband were called together for their JPN marriage tribunals, despite the fact that it was a domestic violence case and Section 106(5)(a) of the LRA does not require that the parties be present and heard together.
- There are no known security protocols set out by JPN, even for cases of domestic violence and when there is an obvious risk of harm to a survivor from her perpetrator.
- Despite observing the harassment and threats to Nandita and the WAO staff, the JPN officer they first sought help from was completely dismissive, refusing to let them exit through a back door or to escort them to their car.
- WAO accompanied Nandita to her JPN tribunal and created a safety plan, having already anticipated the risk posed by her husband.

CASE 4 – JUSTICE FOR SURVIVOR MADE MORE ACCESSIBLE BY LEGAL AID AND RECOGNIZED DV EXCEPTION TO WAITING PERIOD

Rachel met her husband at work and they got married. Soon after the marriage, Rachel's husband found success in his business dealings and they were doing well financially. However, Rachel's husband began taking drugs and associating with many other women.

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Rachel wanted to save the marriage, but her husband would constantly chase her out of their home by abusing her and, on one occasion, even burning her with a cigarette butt. Rachel's husband did not want to remain married to her, but wanted to keep their older son with him, because he believed he had brought good luck to his business.

After one abusive incident, Rachel finally lodged a police report and shared that her husband was taking drugs. Her husband then lodged a police report against her, but when the police searched their home and conducted drug tests, only the husband's test came back positive. Her husband was arrested immediately and sentenced to three months imprisonment.

A friend suggested to Rachel to get an IPO, but she struggled with doing so. She went to court several times to get information and sought help from a security guard, who did not have the necessary knowledge. Finally, Rachel was told by an acquaintance about WAO and contacted WAO via Facebook to seek shelter. WAO helped Rachel obtain an IPO and later looked after her children while she went out to look for another job.

Since Rachel had stopped working and did not have access to her husband's assets, Rachel was able to obtain legal representation through the Legal Aid Bureau, and with the police report and IPO, she was able to get her divorce very quickly.

Remarks:

- Rachel was able to access legal aid from the Legal Aid Bureau, since she was not earning an independent income and all assets were in her husband's name. However, many survivors have difficulty qualifying for aid from the Legal Aid Bureau, as they have financial resources in excess of RM25,000 per year, but still do not have the means to pay for legal representation. This may be because of debts or financial obligations such as mortgage payments, children's schooling, or caring for elderly parents.
- Rachel was also able to bypass the normal waiting period—wherein an individual must first show that they have been separated for two years—to be assigned a lawyer through the Legal Aid Bureau for her divorce case by providing proof that she was a survivor of domestic violence.

CASE 5 – DV AND ATTEMPTED MURDER MET WITH MINIMAL PUNISHMENT

Noor suffered physical, psychological, and financial abuse by her husband for eight years. Noor and her husband have two children, aged seven and two-and-a-half years. After enduring years of abuse, Noor finally left her abusive situation and came to WAO for shelter.

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Noor's husband was charged for domestic violence and sentenced to six months imprisonment. He was also convicted of the attempted murder of their daughter, whom he tried to throw over a bridge, but was stopped from doing so by the public. For this crime, Noor's husband pleaded guilty and was only sentenced to eight months in prison, and the sentences for his two crimes ran concurrently.

The police did not inform Noor or WAO when her husband was brought to trial, and Noor only found out when her social worker happened to hear it on the radio and relayed the news. When Noor's husband was released from prison, he immediately went to look for his wife.



Noor continues live in hiding, for fear that her husband will find her, but with the support of WAO, she has found a job and is staying on her own with her children.

Remarks:

- The domestic violence inflicted on Noor by her husband was part of a pattern of abusive and violent behaviour that extended to her children, culminating in her husband's attempted murder of their daughter.
- Despite the fact that Section 307 of the Penal Code provides a punishment of up to ten years imprisonment for attempted murder (and up to twenty years if a person is hurt in the course of such attempt), Noor's husband was only sentenced to eight months for the attempted murder of his daughter. Even more egregious was the fact that her husband's sentences for attempted murder and domestic violence ran concurrently, so he did not serve the full time set out by each punishment. This lenient sentencing sends a dangerous message to perpetrators of domestic violence that the consequences of their

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abusive and violent behaviour will be met with minimal consequences, and also may dissuade survivors from attempting to access justice.

CASE 6 – NO INVESTIGATION PAPER OPENED AFTER 12 POLICE REPORTS; INSENSITIVE REMARKS BY POLICE AND JPN OFFICERS

Sarah's husband subjected her to daily abuse for 12 years, including physical, psychological, sexual, financial, and social abuse. Sarah's husband also abused their children, and throughout their marriage, would prevent Sarah from seeing the children, as he would move them without her consent, or take them away in attempts to lure Sarah back home when she would leave to escape the abuse.

Verbal arguments usually escalated into physical abuse as Sarah's husband would slap and kick her before ramming her head into the wall; one such incident took place when he informed her of his plans to marry a second wife and she rejected his decision. Sarah's husband demanded sex from her daily, and often raped Sarah. He also accused Sarah of having an affair with another man. At one point, Sarah underwent treatment at a hospital for injuries resulting from her abuse. The doctor posed her the option of moving into a shelter; however, Sarah decided against this option.

Sarah was prevented from speaking to her family and prohibited by her husband from seeking relief via religious institutions. This social abuse was coupled with a stream of psychological abuse in the form of humiliation, threats, and incessant insults. Sarah cared for the children and was not employed during the marriage, and her husband gave her no money for sustaining herself and the children. With no family or financial support, Sarah became depressed and attempted suicide more than once.

Sarah filed twelve police reports over the years, but no investigation paper was ever opened; the police only called the husband to give him a warning. When Sarah would return to the police station to file another report, she was asked by the police officers, 'Why are you still getting pregnant?' but they would not directly acknowledge the domestic violence.

The final straw for Sarah was an incident wherein Sarah's husband slapped her in public and verbally assaulted her, and when she tried to leave, her husband's mistress dragged her into the car and forced her to return home with her husband. Sarah left immediately after this event and found employment. Her employer referred her to WAO.

At WAO, a social worker assisted Sarah in following up on her thirteenth police report in order to obtain assistance from JKM to get an IPO. As Sarah was worried about her children, who were still living with her husband, the JKM officer assigned to the case accompanied Sarah to her home to see the children. The officer noted the poor living conditions of the children, but informed Sarah and her social worker that JKM could not take any action to remove the children from the home, as there were no recent bruises or injuries evident. The officer then advised Sarah to get the children's names added to the IPO so that Sarah could later go back to the home with the police and get her children. The officer also warned Sarah's husband against using any form of violence on Sarah and bolstered the warning with the threat of police reinforcement.

WAO subsequently accompanied Sarah to JKM to add the children's name to the IPO; however, they were informed that the children could not be added to the IPO as their names were not included in the referral letter given by the police. The JKM officer advised Sarah to hire a lawyer and apply for temporary child custody from the court.

WAO also accompanied Sarah to her marriage tribunal at JPN. At her first marriage tribunal, the JPN officer advised Sarah to go back to her husband for a few months, telling Sarah that 'she should think of what's best for her children and go back and stay there'.

Remarks:

- When Sarah went to seek medical attention for her injuries, the doctor informed her of her option to move into a shelter.
- Sarah filed multiple police reports over the years, but the police did not take her complaints of domestic violence seriously, and no investigation paper was opened.
- Sarah's employer referred her to WAO, exemplifying the role that employers can potentially play in supporting survivors of domestic violence.
- The JKM officer advised Sarah of how she could seek protection for her children when it became clear that adding them to the IPO was not an option.
- The JPN officer demonstrated insensitivity to the fact that Sarah was a survivor of domestic violence when he advised Sarah to go back to her husband.

CASE 7 – LACK OF WHOLLISTIC APPROACH AT JKM SHELTER

Ayesha's husband began abusing her even before their marriage, but she thought that the abuse would subside after their marriage. Instead, within the first year the abuse escalated and her husband abused her physically, psychologically, sexually, socially, and financially on a daily basis. This abuse was witnessed by their children.

Ayesha's husband was a drug user, which would often cause him to not sleep for two to three nights at a time when under the influence. He forced Ayesha to quit her job, resulting in her not having any savings, and also withheld her identity card.

Ayesha's husband was formerly a Hindu and upon marrying Ayesha, converted to Islam. However, he would force Ayesha to practice Hinduism and prevented her from mingling with her family in order to sever her ties to Islam. He threatened her with physical harm if she did not comply with his wishes.

Ayesha's husband forced her to carry their youngest child as she did the housework and didn't allow Ayesha to rest at night, causing her much fatigue and stress. Her husband would rape her and physically abuse her with objects including padlocks, wooden rods, and brooms. After the physical abuse had taken place, her husband would lock her in the house with the children so that Ayesha could not seek help. Over the years, as a result of the abuse Ayesha developed bruises, cuts, and most severely, a head injury caused by a knife attack. This caused her not only physical harm, but also psychological trauma.

On the first day of Aidilfitri, despite Ayesha having asked for her husband's permission to visit her mother and her husband obliging, he went into a fit of rage, yelling and beating her, and finally threatening to stab her with a knife. Ayesha managed to escape to her mother's house and lodged a police report against her husband. She requested that the police remove her children from her husband's home, but when the police arrived, her husband held their daughter in his arms so that the police only managed to secure and bring the son away.

Several days later, Ayesha's husband arrived at her mother's house and ordered her to come back home with him. When Ayesha refused, he proceeded to drag her out of the house and onto the concrete road, causing



Neighbors and bystanders play a critical role in a coordinated community response to DV

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Ayesha to sustain a head injury. He then re-entered her mother's home and emerged again with a knife to issue more death threats. Bystanders, neighbours, and onlookers watched, but did not intervene. Finally, one of them called the police, and subsequently Ayesha's husband fled the scene.

Ayesha decided to seek shelter from JKM, as she felt her husband would find her if she continued to stay with her family members. Upon arriving at the JKM shelter, she was told that she could only stay there for two weeks. However, subsequently, she was allowed to stay for longer, but then after two months was told she had to pack up and move out immediately, without any warning or information. Ayesha was then referred to WAO by JKM.

At WAO, Ayesha was briefed on the divorce court process, how her daughter could be retrieved from her husband with the involvement of JKM and the police, and what financial aid was available to her. Ayesha's husband filed a *nusyuz* action against her in Syariah court, but failed to appear for any of the three scheduled hearings, and so the action was dropped. Ayesha applied for a divorce with the assistance of a WAO social worker. However, Ayesha faced a setback in attempting to acquire her divorce, as she would have to travel to Ipoh to make the application and for hearings, incurring costs that she could not afford. Ayesha's IC was being kept by her husband while the case was pending, which prevented her from applying for job vacancies and thus disabled her from financially providing for her family and being independent and self-reliant. Despite her financial circumstances, JPN did not make an exception for Ayesha and required her to pay RM1,000 for a new IC.

WAO also helped Ayesha enroll her children in a new school. This process initially required documents from the district education office (PPD) allowing the transfer. However, the PPD officer instead asked Ayesha to get a letter from the Commissioner for Oaths stating that she and her husband had divorced and that she had custody of her children, as well as a letter from WAO verifying her temporary home address at the refuge shelter. The school also cooperated in waiving the fee for the children's textbooks.

Remarks:

- Ayesha's husband used religion as another tool of oppression and control over her, not allowing her to freely practice her religion and cutting off her ties to her family to further this end and socially isolate her.
- WAO provided crucial support by helping Ayesha successfully divorce her husband, retrieve her children from the abusive environment, and transfer them to a new school without needing her husband's consent.
- Ayesha's time at JKM was unproductive and stagnant. She was offered financial aid and help to retrieve her children, but subsequently no action was taken. After two months, she was told without any warning

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that she had to immediately leave the JKM shelter. The only positive outcome from this was that she was referred to WAO. Ayesha arrived and left JKM with exactly the same problems; no practical help was provided during her stay.

- No exception or financial aid was made available to Ayesha by JPN when Ayesha went to replace her IC, despite the domestic violence she had endured and the dire financial circumstances she faced.

CASE 8 – ADDITIONAL DIFFICULTIES FACED BY FOREIGN-CITIZEN SURVIVOR

Sofia is a foreign citizen who has been married to her Malaysian husband for ten years. They have four children together. Sofia was first referred to WAO after an incident of abuse by her husband. Throughout their marriage Sofia endured physical, psychological, and financial abuse, and she left multiple times to seek shelter.

Sofia's husband refused to renew her spousal visa, so she has been living in Malaysia for more than four years without a valid visa. She was forced to return to her husband on multiple occasions because, without a visa, she could not find a job with decent wages and did not have the means to support her four children alone.

For the past two years, Sofia has been in and out of shelters. She tried to avoid calls from her husband, but wanted to be able to speak with her children, who were under the supervision of her mother-in-law. Sofia continued to stay at WAO while looking for jobs. After some time, Sofia got a job offer and was excited that she would finally be able to earn some money. However, hours later, Sofia returned to WAO, this time with her two children. When she had been on the way to her new job, her husband had called and said he was going away, and that Sofia needed to come and pick up the children. Sofia had no choice but to rush to her children, but when she arrived, the two older ones refused to go with her.

She returned to WAO with her two younger children. Sofia was nervous and upset that they could not all stay together, but knew it was best for her children to stay at WAO while she took care of things such as resolving her visa issues and attaining a birth certificate for her youngest son. Sofia's husband refused to apply for a birth certificate for their youngest son because he believed the child was not his. Without her husband's physical appearance or his original IC, Sofia's son would not be categorised as a Malaysian citizen on his birth certificate. As a result of her husband's ongoing refusal to renew her spousal visa and to apply for their son's birth certificate, Sofia was forced to maintain contact with her husband.

Sofia has continued to work with her WAO social worker to apply for loans that she can use to fund her visa fees and to get her older children re-admitted and registered into schools. Sofia also found a job and has made a plan with her social worker to obtain her visa and her son's birth certificate.

Remarks:

- As a non-citizen wife of a Malaysian citizen, Sofia was entirely dependent on her husband to renew her visa, and by extension to legally work, which made it more difficult for her to escape her abusive situation.
- Similarly, the impact of the domestic violence also affected Sofia's son, who would not be designated as a Malaysian citizen unless his father agreed.

CASE 9 – POLICE FAILED TO INFORM SURVIVOR ABOUT IPO

Bina and her husband were married for 16 years and ran a business together. However, within the second year of their marriage, Bina's husband began physically, psychologically, sexually, socially, and financially abusing her.

Together, Bina and her husband owned several businesses; however, all of the businesses were held in Bina's name because only Bina met the necessary legal requirements. After he became paranoid that she was having an affair, Bina's husband cut her off from all involvement in the business, despite her being a co-manager, and demanded that she stay at home and instead be a homemaker. Bina's husband then assumed full control over the business and its finances. Without Bina, the business declined, as the workload was overwhelming for just one person to handle. To help him, Bina's husband recruited his friends to manage and control the finances of the business. He forged Bina's signature in order to do this.

After years of abuse, Bina filed for division of their matrimonial assets. Bina was referred to WAO by her lawyer. Over the years, she had filed several police reports related to incidents of domestic violence perpetrated by her husband, but she was never informed of the availability of an IPO.

During Bina's stay at WAO she was accompanied by a social worker to court for mediation with her husband over the division of property. Eventually, her husband was also charged with forgery, and Bina was able to interview for jobs. After a couple more months staying at WAO, Bina was able to find an apartment to rent and began staying on her own.

Remarks:

- When Bina lodged a police report, the police did not inform her of the availability of an IPO
- Bina's husband was charged with forgery, which in this case facilitated his financial abuse of Bina.

CASE 10 – SOCIAL AND FINANCIAL ABUSE OF SURVIVOR LEADING TO ISOLATION

Yasmin had been married to her husband for 12 years, and within the first year of their marriage, her husband began exerting his power over her in the form of physical, psychological, financial, social, and sexual abuse. Yasmin's family did not approve of the marriage, and so they refused to speak to her. Yasmin's husband was an undocumented immigrant who wasn't able to financially provide for his family, due to his lack of legal status for employment. He instead stole money from Yasmin using her ATM card, and would harass Yasmin's friends and family for loans. As a result, Yasmin was completely socially ostracised and isolated, losing all financial and emotional support from her family and friends.

Yasmin suffered physical abuse on a weekly basis, resulting in injuries and bruises, and on one occasion, a broken neck. Yasmin's husband's violent outbursts were usually triggered by alcohol, and he would often attack when drunk. Although Yasmin wanted to be free from her husband's abuse, she did not want him to get into trouble with the law, and so never filed a police report against him.



Yasmin eventually decided to leave her husband due to his inability to change and the effect that was having on herself and their children. Without any financial support from her family, and with her husband regularly stealing money from her, Yasmin could not afford to buy food and there was nothing to eat at home. A friend referred her to WAO, and from WAO she was able to receive shelter, temporary protection and advice on how to financially support herself and her children. Her WAO social worker also helped Yasmin apply for a birth certificate for her younger son, which she hadn't done due to his father's unwillingness to apply for the certificate as a result of his undocumented status. Prior to this, Yasmin's son could not register for school as he did not have a birth certificate.

After her time at WAO, Yasmin found a house, which she is currently living in

with her children and two other residents from the shelter. Yasmin is looking forward to her new life independent of her abusive husband, and is searching for a job to support her family.

Remarks:

- Many domestic violence cases are marked by the social isolation of the survivor, making the response provided by government agencies and NGOs all the more crucial in supporting the survivor.
- Prior to coming to WAO, Yasmin was not aware of her right to apply for an IPO to obtain physical protection from her abusive husband
- Yasmin's husband is an undocumented immigrant. As a result, he was unwilling to have his name on his son's birth certificate, which meant that no father would be listed on the child's birth certificate, potentially leading to future prejudicial treatment.

CASE 11 – FINANCIAL ABUSE RESULTS IN SURVIVOR BEING FORCED TO GIVE CHILDREN UP FOR ADOPTION

May was a foreign citizen, who married a Malaysian man. A month after their marriage, May and her husband moved to Malaysia. After their arrival, May's husband became the sole breadwinner and he forbade May from working, making her entirely dependent on him for support.



Financial abuse often accompanies other forms of domestic violence. This type of abuse can take the form of controlling the survivor's earning or spending abilities so that she becomes entirely dependent on her abuser, stealing money from the survivor, or taking out debts in her name.

The physical abuse only began in the fifth year of their marriage, but quickly became frequent. May's husband would not let her sleep everyday and would physically abuse her weekly. This would include slapping, beating, pulling her hair, kicking, and stepping on her. May's husband would also force her to engage in sexual activity while he was under the influence of drugs. If May refused, he would scald her with hot water. Finally, after four years of physical, verbal, and sexual abuse, May left her abusive home.

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The catalyst event occurred one night when May's husband was under the influence. He began to scold her with vulgar words, calling her names such as 'prostitute' and accusing her of having affairs with other men. This led to him attempting to sexually abuse her, but May refused and resisted, causing her husband to beat, kick, step on her, and pull her hair. He also threatened to sell her. The next day, May took herself and her daughter to the police station to file a report. The IO referred her to WAO and she was admitted on the same day.

May's husband was primarily able to control her by withholding her passport and not even allowing May to see it, so she was unaware of whether she had a spousal visa or not. This also prevented May from going back to her home country. Subsequently, May's husband stopped working and due to financial constraints, they gave up their two eldest children for adoption. The couple to whom they gave their children did not officially adopt them, but May gave them a letter stating that they were the guardians of the children.

May wanted to separate from her husband and move back to her home country, but was hesitant to file for divorce, as she knew it would take a long time. In an effort to help her get back home, WAO assigned May a social worker, who contacted the embassy of May's home country. The embassy processed her documents, which included her passport, as well as an air ticket for May to return home. May was able to return and be free from her abusive husband. She was initially reluctant to go back without her children, as she did not believe her husband would take care of them properly. However she was also worried that she would not be able to financially support the children once back in her home country. She ultimately decided to leave her children with their adoptive family and return to her home country alone, after finalising the adoption process through JKM with the help of her WAO social worker.

Remarks:

- As with many foreign wives who are subject to domestic violence at the hands of their Malaysian husbands, May's social isolation both contributed to the domestic violence she suffered and made it more difficult for her to seek help.
- May's husband withheld her passport from her, so she was neither aware of whether she had a spousal visa, nor was she able to return to her home country until she finally received assistance from her embassy.
- Ultimately, due to the circumstances she was in as a result of her husband forbidding her from working and making her entirely financial dependent—and subsequently stopping work himself—May was forced to make the difficult decision to give her children for adoption and return to her home country on her own.

CASE 12 – KIDNAPPING BY FATHER AND HUSBAND; WITHHOLDING OF PASSPORT

Diya grew up in a physically and psychologically abusive environment at the hands of her father. This caused her and her sisters to leave the house at an early age. Diya's mother, however, did not escape the abuse and instead used alcohol as a coping mechanism. Diya and her sisters were also heavily affected by the abuse and it took not only a physical, but also a severe emotional toll on them. Diya suffered from depression as a result, and has attempted suicide.

Diya later got married, and was subjected to physical abuse by her husband. Diya and her husband had a legal wedding, but had decided not to have a customary ceremony in order to save money. However Diya's father continued to insist and harass her into having a wedding, Diya believes with the ulterior motive of receiving gifts and money from friends and family. This caused Diya to move to Singapore in order to earn money to pay for the wedding. During her time in Singapore, Diya discovered that her husband was having an affair. When she returned back to her hometown, her husband and father kidnapped her and confined her in her husband's house for two weeks. Diya's father had always had an affinity for her husband, as he had always wanted a son but instead had daughters.

Diya was finally able to escape through a window, allowing her to contact her sister from her neighbour's home. Diya's sister took her to the All Women's Action Society (AWAM), one of WAO's sister organisations, for protection and she was then referred to WAO. She arrived at the WAO shelter without a passport or IC, as her father was in possession of her personal belongings. Diya's social worker at WAO contacted the police to help Diya regain her passport. However, the police inspector was not only unhelpful, but also tried to persuade Diya to withdraw the case. Despite the fact that she had given her statement to the police several times already, the inspector took no action and instead accused the WAO social worker of harassing him. Diya then tried to seek help from an immigration officer in order to retrieve her passport, but the immigration officer also refused to help her.

Meanwhile, Diya also had growing fears that her father might be trailing her, with the help of her uncle, who was part of the police force. Furthermore, her company in Singapore had lodged a police report against her due to her absence from work and the fact that they could not contact her. This report resulted in Diya being banned from entering Singapore. Luckily, this misunderstanding was rectified by Diya's WAO social worker, who wrote a letter on Diya's behalf explaining the circumstances and confirming that Diya was seeking help from WAO.

Eventually, Diya decided to lodge a police report against her father. She has since returned to work and is still pursuing her divorce from her husband.

Remarks:

- This case illustrates the potential for domestic violence to be a continuous cycle, wherein a child experiencing or witnessing abuse may grow up and enter an abusive relationship. It also demonstrates the inherent gender biases and patriarchal family structures that make women more vulnerable to domestic violence.
- Diya met with much resistance when attempting to regain her passport. The authorities she interacted with were uncooperative and unaccommodating, discouraging her from pursuing her passport.
- Diya feared lodging a police report and involving the police, as her uncle is an influential police official and may have been misusing his power.

CASE 13 – INCORRECT INFORMATION REGARDING POLICE ABILITY TO INVESTIGATE PSYCHOLOGICAL ABUSE; SCHOOL TRANSFER WITHOUT SURVIVOR'S KNOWLEDGE

Crystal endured 18 years of psychological, physical, and sexual abuse at the hands of her husband. The abuse began shortly after their first child was born and escalated as time went on. By the time they had four children, Crystal had suffered many physical injuries such as bruises, muscle pain, and swollen body parts. This was the result of her husband's violent behaviour, triggered by his jealousy and psychologically abusive outbursts. At times, he would threaten to kill her with a knife.

Crystal's husband did not allow her to have friends, especially male friends. Her husband's fits of rage and threats would trigger and aggravate her depression, which eventually caused her to leave him. After one such episode, Crystal left her abusive home and found refuge at the WAO Shelter.



Transfer of their children's school to the area where they have relocated after leaving the abusive situation is among the post-crisis challenges that survivors must deal with. Having to miss school for long periods, which is disruptive to learning, is among the many adverse impacts that domestic violence can have on children.

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When a social worker accompanied Crystal to meet an IO at the police station and pursue investigation into her domestic violence allegations, as well as get a referral for an IPO, the IO spoke to his superior and told Crystal and her social worker that there was no section under the Penal Code that enabled police to investigate psychological abuse.

Crystal made the decision to separate from her husband and wanted to file for divorce. Accompanied by a social worker from WAO, she filed an application for a marriage tribunal, setting out to reclaim temporary custody of her four children. Meanwhile, Crystal's children were still suffering at the hands of her husband. Their eldest son was chased out of her husband's house and the remaining three children had not attended school since Crystal had left the home.

During this time, Crystal went to inquire as to the children's school attendance. The school bus driver informed her that her son had not been to school since October, and so Crystal and her WAO social worker went to the school and met with the Deputy Headmaster and found out that her husband had transferred her son to a different school a few weeks prior. They also found out that the son had not been going to school for a few weeks leading up to the transfer. Although Crystal's son had been studying in a Tamil medium school, his father had transferred him to a BM medium school.

Remarks:

- Like many domestic violence survivors, Crystal was socially isolated and had no solid support network.
- Upon finding out that her son's school had been transferred, Crystal questioned the Deputy Headmaster as to how they could transfer her children's school without informing or seeking consent from her, as she had always been the one to take the children to school and handle administrative matters. The Deputy Headmaster informed Crystal that the father has all the primary rights to transfer the school of children, and if the mother transfers the children without the husband's knowledge, the husband has the right to sue the school later. Only in cases where the mother has a custody order, can she complete the school transfer unilaterally, even where there has been domestic violence.
- The IO and his superior were uninformed about the DVA and gave Crystal inaccurate information regarding being able to open an investigation paper based on psychological abuse. The DVA stipulates that the police should have opened a case and referred the client for a mental state assessment so that she could obtain an IPO.

CASE STUDIES BY ROSE VIRGINE GOOD SHEPHERD (IPOH), PUSAT KEBAJIKAN GOOD SHEPHERD

CASE 14 – REFUGEES AND ASYLUM SEEKERS MORE VULNERABLE TO DOMESTIC VIOLENCE

In 2016, Catherine, who was an asylum-seeker in Malaysia, came to Good Shepherd for shelter after she had been abused by her husband. After her time at Good Shepherd, Catherine was able to find a job and support herself and her child. However, due to her community's traditional beliefs that women must be loyal to their husbands, the community informed Catherine's husband of her whereabouts.

Catherine's husband managed to locate her and forced himself on her, and then took control of the room that she was staying in. He took their child hostage and made Catherine go out to work so that he could live on her earnings. Eventually she was forced to leave him as the abuse got worse, but she could not take her child with her. Due to her past experiences of harassment by enforcement officers, Catherine had a deep mistrust of the system and refused to lodge a police report against her husband.

Remarks:

- Many women who are refugees or asylum-seekers are seeking protection from strife in their home countries.
- As in Catherine's case, many of these women endure domestic violence for a long time before they make the decision to leave, as they are alone in Malaysia and do not have the benefit of protection or support from their families. These women's situations are further exacerbated by financial dependence on their abusers, resulting from a lack of skills to obtain jobs or lack of legal status to work.
- The right to work is not recognised for refugees, forcing them into the informal workforce and making them more vulnerable to abuses by employers, and additionally for women refugees, to abuses by their husbands or partners.

CASE 15 – DOMESTIC VIOLENCE COMMITTED BY SIBLING

Cindy, a fourteen year-old girl, was forced by her sister to work in her sister's house. Her sister had married a Malaysian man and had a foreign spouse visa. Cindy was orphaned at a young age and was brought into Malaysia by her sister. When Cindy's passport expired, her sister did not renew the passport, thus resulting in Cindy being undocumented. Cindy was forced to work in the house and was abused physically and verbally by her sister.



Even individuals who enter Malaysia with documentation may later become undocumented and subsequently more susceptible to domestic violence and other forms of abuse.

Cindy eventually managed to run away and sought help from the UN Refugee Agency (UNHCR), who referred her to Good Shepherd. Cindy refused to make a police report and is currently undergoing counselling. She is afraid of her sister and her sister's spouse and does not want to speak out against them. In the meantime, Good Shepherd is working with UNHCR to register Cindy as a refugee and to find a long-term solution for her.

Remarks:

- o As Cindy's case illustrates, even an individual who enters Malaysia with documentation may later become undocumented, and thus vulnerable to several forms of abuse.
- o In this case, Cindy was physically and verbally abused by her sister, which would bring Cindy under the protections of the DVA if she chose to take action against her sister, since the DVA covers abuse by family members.

CASE STUDIES BY WOMEN'S CENTRE FOR CHANGE (WCC) PENANG

CASE 16: DOMESTIC VIOLENCE NOT RECOGNISED AS A CRIME, BUT CONSIDERED A PERSONAL FAMILY MATTER

Despite suffering physical and verbal abuse during her courtship years, J went ahead and married her partner. The abuse continued during the marriage. One day, J was strangled and pushed by her husband after a disagreement pertaining to parenting. She suffered bruising as a result. J came to seek help from WCC. She was counselled and also referred to the One Stop Crisis Centre (OSCC) at the local hospital for medical assistance. After deciding she wanted to leave the marriage, J went to lodge a police report.

The investigating officer (IO) was reluctant to investigate the case and refused to issue a letter for an IPO. The next day J's husband was summoned to the police station to give a statement. J's husband gave his version of the incident. After listening to J's husband, the IO then told J that it was a "personal family matter" (*hal rumah tangga*), and therefore could not be regarded as a domestic violence incident. The IO told J she had to be fair and listen to both sides of the story. She advised J to listen to her husband as J too was at fault.

The WCC social worker discussed various options with J, one of which was writing a letter to determine the status of the case. However J was too afraid and so she chose to leave things as they were. The WCC social worker suggested that J keep the IO's number and to call the IO should her husband behave violently again in the future.

Remarks:

- The IO did not take the complaint of domestic violence seriously.
- The IO in listening to the husband's side of the story took sides and became judgemental.
- The IO's attitude meant that the client's fear was not recognised and her right to protection under the law (issuance of an IPO) was ignored.

CASE 17: IO GAVE NO UPDATES TO SURVIVOR ABOUT THE PROGRESS OF THE CASE

After being married for two years, L's mother-in-law insisted L and her husband move into the family home. L soon found that in the family home, she was not able to spend time alone with her husband and her husband spent a lot of time out of the house. Sometime later, L discovered her husband was having

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an affair with another woman and he began to physically and emotionally abuse L. This abuse (slapping, kicking, use of harsh language e.g. "go and die") continued despite L being pregnant. L became suicidal because of the abuse and the affairs her husband continued to have. L filed two police reports over a three-year period.

The WCC social worker contacted the investigating officer (IO) for an update on the two reports and was informed that the husband had been charged under Section 323 of the Penal Code and a warrant of arrest had been issued for the husband. Despite following up with the IO, L did not receive any more information regarding the case. About a month later, L contacted the IO again only to be told that the IO had not arrested her husband as he was about to be married to the person he was currently involved with. L's husband also contacted L, saying he would divorce her and provide maintenance for their child, provided she withdraw the charge against him.

The WCC advocacy team then sought help from a watching brief lawyer (WBL) for L. The WBL was helpful and contacted the IO. Soon after, L was informed that her husband would be charged under Section 326A ("Punishment for causing hurt by spouse") of the Penal Code, which he eventually was.

Remarks:

- The IO was difficult to contact and the client felt that the IO was not helping her access justice or protection when she was the victim of domestic violence.
- Furthermore the IO did not comply with her responsibility of updating the complainant on the status of the case. According to section 107A of the Criminal Procedure Code, the officer in charge has to give a status report on the investigation within two weeks.
- The WBL was able to establish a good rapport with the IO and get regular updates of the case.

CASE 18: IO UNAWARE OF PO APPLICATION PROCEDURE AND ERRONEOUSLY APPLIED FOR IPO

G and her husband have been married for eight years. They have three sons. G's husband started to physically abuse her one month into their marriage. G lodged nine police reports but withdrew all of them. The episodes of abuse continued on average once or twice each month. G was once locked up against her will in the house for seven days. G was hesitant to divorce her husband because of her children's wellbeing.

G finally made up her mind to report her husband when she began to fear for the safety of her children. G was referred to WCC by the One Stop Crisis Centre

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(OSCC) at the hospital after deciding to follow through on her latest police report. The investigating officer (IO) arrested the perpetrator shortly after G lodged a police report. The perpetrator was subsequently charged in court.

WCC's advocacy officer explained protection orders (PO) to G (as the husband had already been charged). G approached the IO for a PO for herself and her three children as she feared for their safety since her husband was out on bail. However the IO said he was not familiar with PO applications. The WCC social worker referred him to the *Garis Panduan*.

The IO then said he could not apply for a PO without written consent from the victim. G gave her written consent, stating her intention to apply for a PO for herself and her children. The IO proceeded with the application but erroneously applied for an IPO instead of a PO. The IO was reluctant to submit another application but did so eventually.

Later, G was involved in an accident. She was pushed off her motorcycle from the back and sustained severe injuries as a result. She suspected her husband was involved. The WCC social worker informed the IO about the accident and asked him to speed up the PO application. The IO insisted that G collect the PO personally despite her being in pain and recovering from her injuries.

Remarks:

- The IO was quick to make an arrest.
- The perpetrator was charged quickly.
- The IO was not clear about the difference between an IPO and a PO and ended up applying for the wrong protection for the client.
- The officer was insensitive to the client's injuries and insisted she collect the PO personally despite her injuries.

CASE 19: POSTPONEMENTS IN DV COURT CASE RESULT IN JUSTICE BEING DELAYED FOR SURVIVOR

Delays in court cases can result in clients being put at risk of further harm and in getting the closure they need to move forward with their lives.



S was married to her husband for 14 years before obtaining a divorce. S was granted the sole custody of her children and her husband was ordered to pay maintenance for the children, but has not made any payments since the divorce. After the divorce, S allowed her husband to live in the marital home for three years before asking him to move out.

On one occasion when the ex-husband was still in the marital home, he came home drunk with five other men. S was in the living room and her ex-husband pulled out a knife and demanded S perform sexual intercourse with him. He hit S on her head and face and pushed her down onto a chair. He further threatened to kill her if she did not agree to having sexual intercourse with him. S managed to escape and called the police. She went for a medical check-up and filed a report at a police station.

S's ex-husband was charged under Section 323 of the Penal Code. Unfortunately, the trial did not begin due to several postponements largely due to a variety of excuses from the defence lawyer. Eventually, after the eleventh postponement, the trial began two-and-a-half years after S's ex-husband had been charged.

Due to S's frustration with the postponements and because she felt that the DPP was not very approachable, WCC sought help from a watching brief lawyer (WBL) for S. The case is now on-going.

Remarks:

- While postponements in a court case are sometimes unavoidable, in this case, eleven postponements indicate a dereliction of duty of those involved in the process.

- It was not only very stressful for the client but also put her at risk of further harm as she had no legal protection against her ex-husband, who was out on bail.

CASE 20: SERVICE PROVIDERS CONFUSED OF THEIR ROLES AND RESPONSIBILITIES UNDER DVA

Z has been married for two years, has two children, and lives with her husband's family in the family home, which has more than 10 family members. Z is a victim of domestic violence. She has been beaten up by both her husband and her sister-in-law on several occasions. She is often put down by her in-laws for having different opinions on things. Z felt humiliated by the situation and left the family home.

Z sought help from WCC who advised her to lodge a police report and get an IPO to protect herself and her two young children (whom she later brought out of the house with her) from further violence. However, when she lodged her report, her IO refused to provide a referral letter for an IPO application. Instead, he insisted, given that Z had said she wanted to leave her husband, that he would only assist her with a divorce application. When Z sought help from the welfare officer, she was told to reconcile with her abusive husband. Eventually with WCC intervention on behalf of Z, the IO issued the referral letter for an IPO to Z.

Remarks

- Both the IO and the welfare officer did not follow their roles as ascribed in the guidelines to handling cases of domestic violence.
- Neither the IO nor the welfare officer recognised domestic violence as a criminal offence.
- Options of divorce or reconciliation did not recognise the crime of domestic violence nor the issue of the client's safety.
- The client ended up being both confused and overwhelmed when seeking help and protection from the abuse.

CASE 21: SURVIVOR CAUGHT IN CYCLE OF ABUSE WITHDRAWS DV COMPLAINT

Despite experiencing abuse during her courtship years, C still married her husband. The domestic violence continued after the marriage took place. Within a two-year period, C made two police reports against her husband. She sought medical treatment at the One Stop Crisis Centre at the local hospital.

The investigating officer (IO) was quick to respond and C's husband was arrested and released on bail after being charged under Section 323 of the

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Penal Code. The WCC social worker managed to get the IO to issue a referral letter for applying for a PO for C. C obtained the PO through the help of the welfare officer.

While the case was mentioned several times in court, C's husband managed to persuade C to withdraw her complaint and agree to file for divorce instead. The case was finally dismissed not amounting to an acquittal (DNAA), as C requested her complaint be withdrawn

Remarks:

- The withdrawal of complaints should be seen within the context of the cycle of violence many survivors of domestic violence go through.
- Those working with domestic violence survivors must be aware that, while some survivors will withdraw their reports, not all will. Hence investigative standards must always be maintained.
- The safety of domestic violence survivors is paramount and, where possible, protection orders should be sought once a perpetrator has been charged. A PO can still be issued when a case is compounded under Section 260 of the CPC (refer to Section 13(b) DVA).

TINA'S JOURNEY

A 360 PERSPECTIVE OF DOMESTIC VIOLENCE



Illustrations of Tina conceptualised and created by Chan Wen Li

GUIDE TO USING TINA'S JOURNEY

As discussed in the Introduction to this report, Tina's Journey is a fictionalised narrative created from a compilation of the experiences of various survivors, and does not represent the experience of one particular woman whom WAO has assisted.

While case studies and statistics are extremely valuable to illustrate objective realities faced by survivors of domestic violence, it is also useful to understand the subjective thoughts, motivations, and experiences of survivors, which can offer insight into why a survivor remained in an abusive situation for a long period of time, what made her finally take steps to leave, and how she felt during the process of accessing support services and the justice system.

Tina's Journey is presented with the goal of illustrating what a successful community response to domestic violence, with the survivor at the core, looks like, and can also be utilised as a training exercise for responders to domestic violence. We hope that by experiencing Tina's Journey through her perspective, and the perspectives of those she encountered throughout the process of seeking support and justice, the reader will have an additional tool for learning why domestic violence is such a serious issue and why a coordinated community response is so critical. To facilitate this learning, Questions for Discussion and a Guide for Discussion follow the narrative, providing a map for reflection and dialogue.

To use Tina's Journey as a training exercise, participants should:

1. Break out into groups of seven, with each participant being assigned the role of one character (Tina, the doctor, the WAO Crisis Support Officer, the WAO Social Worker, the IO, the Welfare Officer, or the DPP).
2. Read through the entire narrative, but assume the perspective of the character you are playing.
3. Discuss the questions that follow the narrative.

TINA'S JOURNEY

Tina

I was once a happily married mother of one. I was born in Kuala Lumpur and have lived here all my life. I graduated from university and started working full-time soon afterward. It was then that I met him. He courted me and treated me so sweetly, more so than any man I'd ever met. We fell in love, got married, and had a baby girl. I told him I wanted to keep working and support the family, but he insisted that I quit my full-time job and take a part-time one instead. He told me to do it for our child, even though I knew it was possible for both of us to work full-time and hire a sitter to take care of our daughter. But I loved him and our growing family, so I obliged and found part-time work elsewhere.

I started cooking, cleaning, and doing most of the household chores; he was grateful at first, but soon got into the habit of nitpicking every little mistake I made. The dishes weren't completely clean, or our dinner was slightly burnt. He told me that I wasn't a good cook, and then he told me I wasn't a good spouse. It hurt the most when he told me that I wasn't a good mother. I believed him though, and that's when I really started to lose my self-esteem.

He told me that a good spouse does everything she can to please her husband, even if it means doing something she does not want to do. Whenever I resisted, he did it anyway. I read one time in the news that this is called marital rape, but I didn't think my husband was that kind of person.

Our relationship really fell apart after he lost his job. Now he spent all of his time at home, but he didn't share in any of the household chores. He sat in anger all the time; our days were fraught with negativity. At first it was just a slap on the wrist, but soon this turned into hits across the head. One of the worst days was when we got into a fight, and in a bout of frustration, he pushed me down the stairs. I was worried that I'd broken an arm, and took a cab to the hospital straight away. Thankfully the doctor didn't notice anything unusual (and I didn't want to tell her that the fall wasn't an accident), so I returned home to find my husband, full of remorse and holding a bouquet of flowers. This was the sweetest he'd been since we first got married, and I was happy to return to the life we once had together. I was sure that the worst was behind us.

The good days soon came to an end when his short temper came back. I worried that he would return to his violent ways, so I called my sister and asked for advice. She listened attentively while I told her everything -- how he treated me, how I felt because of it. She offered all of the love and support that she could from her end, but she could only do so much. "Every couple has their

rough patches," she would remind me. I knew that my sister always had my best interests at heart, so I believed her and tried to stay strong despite his bad temper. I thought about calling my mother as well, but I didn't want to burden her. She knew that my husband came from a good family, and I didn't want her to bear the stigma of her daughter's failing marriage. Besides, what could she do about it anyway? I decided to stay strong not only for my daughter, but for my sister and mother as well.

My strength was tested one afternoon after I'd come home late from work. He asked me why I hadn't come home on time. I told him that I had to work overtime, but no matter how many times I explained it, he wouldn't believe me. He kept insisting that I had gone to see my old friend from university, but I asked him how I could do that if he never let me see my friends in the first place. This went on and on -- him accusing, me defending, until he smashed his empty beer bottle against the table and held its jagged end at my neck. I couldn't imagine how our daughter did her homework listening to this noise from the room next door.

I didn't want my daughter to see me like this. I said whatever I needed to say to make my husband put the weapon down. I thought my incessant pleas had worked, only to realize he'd stopped once I started shedding blood. I made my second trip to the hospital that night.

My husband snapped out of it on the ride to the hospital. He apologized the whole way there, but incessant words can't heal an open wound. At the hospital, he was with me and my daughter in the waiting room and came in with me when I went to see the doctor as well. He thought he was being helpful, but I didn't feel safe with him watching my every move. I felt an even greater pressure when the doctor came; I feared what would happen to me and my daughter if I didn't lie about my injury. My head was swimming trying to come up with a plausible explanation when the doctor entered.



Doctor

A woman came into the hospital covering her neck, her husband and daughter trailing behind. Her voice wavered as she tried to explain what had happened that evening. She said something about setting up the dinner table, dropping a drinking glass, trying to clean it up and stumbling in the process. Her story didn't really make sense; her husband's presence suggested that there was something more sinister going on. To make the woman feel safe and comfortable, I asked that her husband and daughter leave the room so that I could examine the patient in private.

As the door closed behind them, I told the woman gently that from a medical perspective, those wounds did not look accidental. Her expression grew tense as I explained how I'd seen her fear before in others; it hurt to see another potential victim of domestic violence silenced by the trauma accumulated over months, or even years of abuse. I figured that compassion was what she needed most at the time. She kept silent throughout the talk and treatment, but she also stopped trying to explain herself. I gave her a slip of paper with WAO's number on it before she left, explaining that this was a resource she could turn to for support, guidance, and information about domestic abuse. She left the hospital, the paper tucked safely away in her purse.

WAO Crisis Support Officer

One evening when I was volunteering at WAO after a day of work, I received a call on the WAO Hotline from a woman named Tina. She said she couldn't talk for long, as her husband would be back home soon. From my training as a volunteer Crisis Support Officer and my experience taking calls from survivors of domestic violence on the Hotline, I could hear the fear in Tina's voice. She said she just wanted to know what WAO was, so I gave her a brief introduction before she told me she was being abused. At least, she said, she thought she was being abused - she wasn't really sure. She only knew she was looking for someone to talk to, and that she might need a place to stay at some point. I gave her our address and suggested she come speak with us at the office sometime next week. She agreed, saying that she would call in sick one day and come over.

WAO Social Worker

Tina came alone to the Refuge the following Tuesday. A few kids peeked around the corner as she walked through the office and into the Counselling Room.

Tina didn't say much at first, so I went through the basics, starting with a risk assessment. It was important to determine the level of danger she was in to assess if it was safe for her to talk, if she needed a place to stay, and if she had any kind of support system. I asked her about her husband, and about what he did to her and to their daughter. It sounded like she was having trouble answering these questions directly, so I decided to step back and explain a bit about what domestic violence is.



I explained that at the crux of domestic is a power imbalance, wherein one partner in a relationship exerts their control over the other partner in an ongoing and cyclical way, with there often being periods of calm and harmony before tension would start to build up again, culminating in an abusive incident, followed by remorse, and so-on. Although she didn't say anything, understanding seemed to register on her face.

I also introduced her to the different types of abuse, from physical, to psychological, financial, social, and sexual. Still, she remained quiet, her face slightly down and only nodding intermittently throughout my explanation. I once again decided to turn the conversation in another direction.

Me: What should a marriage look like?

Tina: Love.

Me: And what does love look like to you?

Tina: A happy home... Children... Stability..?

Me: Do you think your marriage looks like that?"

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Tina: Um... yes... I would say so. Mostly.

Me: Does your marriage make you happy?

Tina: Well, it does most of the time. I mean, all families have fights, right? No marriage is perfect, so we are bound to have some disagreements...

Me: When are the times that you're not happy?

Tina: ...When he's angry.

Me: Can you tell me what happens when he's angry?

Tina: ...He hits me.

Me: Tina, do you think violence is a part of every marriage?

Tina: ... Well no, it's not in every marriage, but I can understand why he uses it... I do make mistakes...

Me: Do you think you need it in your marriage?

Tina: Well... I don't know if I need it in my marriage... He uses it to warn me of my mistakes, and that makes me want to do things better but... I don't know...

Me: Would you say that you've gotten better?

Tina: If I'd gotten better, then he would've stopped hitting me a long time ago... I live my life in fear of making a mistake, of enduring another punishment, of the possibility of seeing him lose his temper with our daughter the same way he loses his temper with me.

This fear affects the way I work—I'm always on edge--and then I make mistakes, which only makes him hurt me more...I don't know what to do. I want to be a better wife but I can't be a better wife if I'm always afraid. I fear for myself, but even more for my daughter... I can't stand to let her see me so afraid. She has endured enough already. I want to do something but I don't know what to do...

Me: You don't have to worry, Tina. Whatever you decide to do, always know that we are here to help you every step of the way. I have some options for women who share the same worries that you do. Would you like me to go through them with you?

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Tina: Yes, I would like that a lot... thank you.

Me: The first thing some women choose to do is file a police report. Keep it concise and with an actionable offence. This means that you have to tell the police exactly how your husband broke the law by hurting you. I can accompany you to the police station if that makes you feel more comfortable.

Tina: Wait, wait... Are they going to arrest my husband! He's not a criminal! No, I don't want to take such drastic action against him.

Me: I understand, Tina, but the police will first do their investigation. They will only contact your husband and ask for his statement with respect to your report. The police can also help you obtain an IPO.

Tina: And what is an IPO?

Me: An IPO is an Interim Protection Order. This prevents your husband from abusing you further during the investigation. Your investigation officer, IO for short, will give you a referral letter that states that the police are investigating the case. Then you hand this letter to the Welfare Officer at your nearest Welfare Department and ask for an IPO.

Your Welfare Officer will accompany you to court to obtain the IPO. You can also extend its protection to your daughter. And you can be assured that the police will only arrest your husband if he violates your IPO. Is this something you want to do?

Tina: I'm not sure if I can do this alone... I'm afraid of what my husband might do to me or my daughter if he finds out I'm doing this.

Me: We're here to help you every step of the way, Tina. Our Refuge is always open if you and your daughter need physical protection from your husband.

Tina: Okay... I trust you. Yes, I think I'm ready.

Police Investigation Officer (IO)

A timid-looking woman came into the office during my shift. She spoke softly but firmly, asking where she could file a police report. She'd never done this before, she said, but she told me that her husband had been beating her and she was scared that he would do it again. I'd gone through training about how to handle cases of domestic violence before, but those were a while ago and I wasn't entirely sure what to do. I first turned to my colleagues for help, but their responses weren't very helpful. "Another domestic violence case?" one of them

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told me. "You know she's just going to retract her statement, right?" Another complained that these women don't know how to file a proper report, unsure of what they want from us, but leaving us with more paperwork to do. My colleagues had a lot more experience on the job than I did, but something about what they said didn't sit right with me. I gave the woman a form to fill out while I looked around the office for more informative materials, combing through our files until I found it: *Garis Panduan Pengendalian Kes Keganasan Rumah Tangga*. I scanned through it to refresh my memory, and then returned to the woman, now knowing exactly what to do.

She put her pen down as I came back, showing me her halfway-completed form. I glanced at the paper for her name before asking, "Tina, can I help you with anything?" She told me she was scared. She said her husband wasn't a criminal, her husband was her husband — she'd never known anyone that had been arrested, let alone served time in jail. Panic rose in her voice with every question she asked. She still loved the man she thought she was sending to jail. I reassured her, explaining that the legal procedure for domestic violence cases didn't allow the authorities to simply arrest a suspected criminal. I couldn't remedy the conflict of emotions she felt in reporting a man she had loved and trusted for years, or the repercussions that came with him finding out about her report. I considered calling in her husband and trying to help mediate whatever disputes they had, but I decided against it. I didn't want Tina to feel more unsafe than she already did. Besides, I knew there were other agencies who could counsel the couple if they both decided that would help them-- I had read this in the manual.

I helped Tina complete her statement and told her what was next for her case. I informed her about the beginning of the investigation and how I would start with gathering evidence for her case, from collecting medical reports, to weapons the perpetrator had used, to statements from witnesses including her daughter and other family members, and also her husband. In the meantime, I gave her a referral letter for an IPO and a copy of the police report. She seemed knowledgeable about the process already, but I quickly gave her a short outline of the steps to take. After that, I also told her that I could accompany her to her home to collect her personal belongings if she wanted to stay somewhere else temporarily.

She seemed to feel reassured and asked for assistance to collect some essential belongings from her home and to pick up her daughter. We arranged for this to happen in the afternoon the next day, after I notified her husband of the investigation. She then left the police station.

Tina

Walking out of the police station, I was still cautious of my surroundings. My next destination was the Refuge but I couldn't help but feel anxious. My daughter and I were one step closer to safety, albeit a temporary one, and yet I was afraid of my husband somehow finding us.



Upon arrival at the shelter, I was warmly greeted by my social worker and some of the residents of the shelter. I was introduced to the staff at the Refuge and was notified of some house rules. A tour of the area followed, and after that, I settled onto my bed.

My mind swirled with thoughts of my daughter, as she was still in our apartment with her father. I wondered if he had hit or yelled at her, as he did to me, or whether he had gone so far as to take her away from our apartment. As difficult as it was, I kept reminding myself that I'd done the best I could at this stage and that we would be reunited after tonight. The other residents approached me, asking how I was feeling. It was soothing seeing them carry on with their lives and knowing that I was not alone in the situation.

Hours passed and the time finally came to meet with my IO to head over to my home. My social worker also accompanied me and when we rang the doorbell, I felt like my heart stopped for a few seconds as I waited in anticipation for my husband to open the door. Sure enough, he did, looking disgruntled as he stared my IO in the eye and asked what we were there for. The IO explained that we had come to collect my personal belongings and most importantly, my daughter. My husband reluctantly stepped aside and allowed us in, now directing his stare towards me. I wanted to get this over and done with and I was relieved when I saw my daughter sitting at her small desk,

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unharmred. I hugged her, then hastily grabbed what I needed, eager to leave. Thankfully, the ordeal was over without an altercation.

I thanked the IO for helping us. Without him, I doubt I would have been able to leave safely with my daughter, even with my social worker having accompanied me. As my daughter and I entered the car, I thought about the consequences of my decision. I was actually leaving my husband. Was it the right thing to do? How would my mother, sister, relatives, and friends react to this? What would my husband do next? How would the future turn out for my daughter and me? Was it wrong to think that there might still be an ounce of good left in him?

We returned to the Refuge and my social worker could see some hesitance from me as we re-entered the shelter. She asked if we could chat, so we went into the counselling room while my daughter took a nap. I started telling her about my reservations regarding continuing the process, but she assured me that I had to be strong for my daughter and myself, and that I ultimately had to make the best decision for the both of us. She reminded me of the times I believed he would stop abusing me, and of my trips to the hospital. She also highlighted that I was not alone in this, regardless of what I chose to do. I came out of the room feeling that this path was my best option and that I should at least wait for the outcome of the IO's investigation.

In the meantime, I was happy to find some normalcy in our lives at the Refuge. My daughter continued her studies through the home-schooling programme. I was also surprised by the perceptiveness of the staff there -- they noticed that she was quite reserved and afraid of communicating with people other than me, subtly flinching when they approached her. They said this could be a result of hearing or witnessing my husband's abuse towards me. Hence, they enrolled her in play therapy, and slowly, over the next several weeks, she began to interact with the social workers and the other children in the shelter. When I saw her playing and laughing like she used to, before things got really bad at home, it brought tears to my eyes.

Welfare Officer

A woman and her social worker walked up to the counter when their number was called, asking to apply for an IPO. I recognised the social worker as I had attended to similar cases with her before. I asked for the necessary documents to apply for an IPO--the police report, referral letter from the IO, and her medical report. They had come well-prepared, and I was able prepare the application quickly. I told them about the upcoming court hearing to grant the woman the IPO. I was able to obtain the IPO for her within a day.

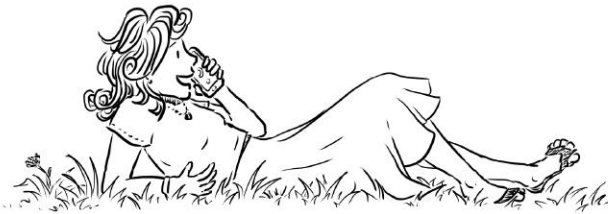
Deputy Public Prosecutor (DPP)

I received Tina's case shortly after the IO completed his investigation. I'd handled several cases involving domestic violence before, thus I was familiar with the procedure. Despite my busy schedule, I always made it a point to meet my clients at least once before their court hearing. This is not done by all DPPs, but I like to get some understanding of my client and her case, in addition to reading the facts. Additionally, I like to emotionally and mentally prepare them, as I understand court proceedings may be daunting for some, especially if the case is violent in nature, and where confrontation with the perpetrator is likely.

My first meeting with Tina and her social worker was fruitful. She hesitantly entered the room, glancing around; however, she spoke confidently of the key points of her case. I informed her of potential distress from the questions asked by her husband's lawyer or by the presence of her husband in the courtroom. I also told her about applying for a year-long Protection Order (PO), which is a restraining order against her husband that would prevent her husband from abusing her and her daughter. Tina took a deep breath and nodded. I assured her that I would do my best--I figured she still had mixed feelings regarding her decision so I did my best to empathise with her and reassure her.

After looking at the facts of her case, I decided to charge her husband under Section 321 ("Voluntarily causing hurt"), Section 322 ("Voluntarily causing grievous hurt"), and Section 324 ("Voluntarily causing hurt by dangerous weapons or means") of the Penal Code. These charges corresponded with the physical abuse which Tina's husband subjected her to, including hitting her, breaking her arm, and cutting her with a piece of glass. I also contemplated whether to include a charge under Section 375A ("Husband causing hurt in order to have sexual intercourse"); however, I decided not to include this since I knew from an evidentiary perspective that it would be almost impossible to prove, as Tina had never gone to the doctor or filed a police report after her husband forced her to have intercourse, even though she had developed bruises around her wrists when he had held her down.

Her husband pleaded not guilty to all charges, so we proceeded to trial. During the court hearings, there were cross-examinations of witnesses and other evidence submitted to the court, including the doctor who attended to her at the hospital, her family members, and her daughter. Tina's daughter was cross-examined in the courtroom with a white cloth shielding her view of her father. This was to prevent any coercion or distress caused from seeing her father, to put her at ease and also ensure that her statement was thorough and unchanged. The evidence provided weighed in Tina's favour at the end of the proceedings.



The "Tina" I met at the start of the trial was completely different than the "Tina" I'd come to know. I received regular updates on her case from her social worker at every court proceeding, and from Tina herself when she came for those proceedings where her presence was required. Tina became stronger, returning to her empowered and independent self (as she herself described) that she was prior to the abuse. I could see it in her mannerisms in court, in the way she delivered her testimony to the judge, and in how she found a full-time job halfway through the trial. I think the support she eventually received from her mother and sister helped also.

Tina's journey culminated in her personally delivering her Victim Impact Statement (VIS) following the guilty verdict and before a decision on her husband's sentencing. With her mother, sister and social worker supporting her at the public gallery, she went through her experiences in poignant detail, outlining how domestic violence had affected her life and how she'd felt throughout the ordeal and to this day. In particular, she described the severe psychological impact the abuse had had on her. Tina shared that she would still become rattled and agitated when she returned home from work, because that was the time her husband would begin his abuse. These details were crucial for the court to understand, as they made a difference in the punishment assessed.

Ultimately, Tina's husband was sentenced to 24 months in prison.

Tina

Part of me still feels some affection, and even sympathy, towards my husband because we shared some good memories during our time together. We had our beautiful daughter, and I know we loved each other. However, walking out of the courtroom after his sentencing, I felt relieved. I remembered all the times he had shouted at me, hit me, and made me lose my confidence in myself. Months of self-doubt, sleepless nights, counselling, and reassurance had led to this day. Time will only tell what will happen to my daughter and me, but for now, I believe we are doing better than ever.

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Currently, my daughter lives in WAO's Child Care Centre and I am staying with my sister while I get back on my feet. My daughter tells me about her experiences during my weekly visits to the Centre. Her play therapy sessions continue, she goes to school, and receives pastoral and academic support. She is now more open, warmer, and more responsive to her environment, and is doing well in school. Although I wish I could spend most of my days with my daughter, I am doing my best to work hard, save and earn enough money to rent a small apartment, and provide for her.



God only knows what would've happened if I had stayed with him. I could've waited for him to come to his senses, hoping we would return to the early days of our relationship. Yet, as I learnt about the nature of domestic violence, reflected on my relationship with him and listened to other survivors like me talk about their experiences, I am ever more certain that the violence would've continued. I've realised that my daughter and I deserve to be treated with respect, and to live a life free from violence.

I am grateful for the support I've received and how far I've come. From my family, to the doctor, police, DPP, and the people at WAO, I could not have done it alone. My parents were initially sceptical, believing I was too sensitive or I was not doing enough to save my marriage. This gradually changed throughout the court hearings as they were able to see beyond the traditional norms of our culture and understand domestic violence. Furthermore, the relationships fostered during my time at the Refuge and the support I received from my social worker empowered me to save my life.

I know we have a long way to go before my daughter and I can live the life I envision. Yet, I have faith in the future and I look forward to what it holds for us.

TINA'S JOURNEY - QUESTIONS FOR DISCUSSION

Discuss the following questions, with each participant representing the perspective of their assigned character. The Guide for Discussion highlights certain facts from the narrative and actions taken by the various stakeholders to help facilitate dialogue.

Question 1. How were Tina's finances affected by domestic violence?

Question 2. What was Tina's understanding of consent to sex within a marital relationship?

Question 3. Why do you think Tina hid the real cause of her injury from the doctor when seeking treatment?

Question 4. How was the cycle of violence demonstrated in Tina's experience with domestic violence?

Question 5. How did social isolation contribute to Tina's experience of domestic violence?

Question 6. How did the doctor who examined Tina identify that she may be a survivor of domestic violence?

Question 7. What role did the WAO social worker play in helping Tina?

Question 8. What positive actions were taken by the police officer handling Tina's case?

Question 9. What was Tina's experience of obtaining an IPO?

Question 10. What were the effects of domestic violence on Tina's daughter?

TINA'S JOURNEY – A GUIDE FOR DISCUSSION

Discussion Guide, Question 1: Tina was forced to compromise her economic and financial autonomy

Tina, like many women in Malaysia, was a university graduate capable of financially supporting herself and her family through her full-time job. However, due to societal pressures and expectations imposed on her by her husband, she was coaxed into compromising with a part-time job, despite the fact that it

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was possible for she and her husband to both work full-time and to hire a sitter to take care of their daughter. This was so she could dedicate more of her time to being a housewife and mother, which confined her to the domestic sphere.

Lack or excess of financial power can create a power imbalance in domestic relationships. Women who compromise their economic independence to be a homemaker, whether by their own choice or not, tend to be financially reliant on their spouses. This makes women more susceptible to power imbalance and abuse in their relationship. Women are more likely to be homemakers, due to gender roles and stereotypes embedded in our culture that believe women belong in the domestic sphere, caring for the home and children, while men are more likely to financially support the family through employment outside the home.

Discussion Guide, Question 2: Tina lacked awareness of marital rape

Tina was coerced into engaging in sexual activity to which she did not consent. There is often a misconception that rape primarily occurs through random attacks in unexpected places with strangers. However, rape often happens within the supposedly safe confines of personal relationships, including the familial, platonic, and romantic. The taboo topic of marital rape, which is still not recognised as a criminal act in Malaysia, must be openly discussed, as it is a prevalent issue. The belief that women are the property of men and their sole purpose is to pleasure their husbands is misogynistic and illustrative of inequality in our society, whereby a woman's value is inherently less than a man's.

Discussion Guide, Question 3: Tina felt the stigma of domestic violence and hid the cause of her injury

When Tina suffered an injury after being pushed down the stairs by her abusive husband, she rushed to the hospital. However she was anxious and reluctant to tell her doctor that the injury was due to an intentional act of violence against her. She instead told the hospital that it was an accident, and the doctor didn't suspect anything unusual.

Like Tina, many domestic violence survivors are hesitant to go to the authorities or tell someone they trust. This may in part be due to perceived stigma and resulting guilt or shame over a 'failed marriage'. Some domestic violence victims may fear judgment from society, due to the negative and taboo connotations surrounding the topic of domestic violence, and the notion that domestic violence is a 'family matter', or even that the violence was the result of some action by the survivor. We as a community must remove the stigma attached to domestic violence by discussing it openly and responding with

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sensitivity, so that more survivors are empowered to come forward and seek help. Domestic violence is never the survivor's fault, and it must never be treated as being so.

Discussion Guide, Question 4: Tina was caught in the vicious cycle of violence

After Tina's husband's violent episode resulting in her being pushed down the stairs, her husband appeared to be reformed with better intentions. He was full of remorse, buying her flowers and showering her with affection to compensate for his actions. They reconciled and returned to their 'honeymoon phase'. However, this phase was short-lived and her husband soon reverted back to his old ways. This is common in domestic violence situations and is outlined by the cycle of violence. After a highly charged, intense situation that manifests in physical, verbal or emotional abuse, the abuser apologises and makes excuses, assuring the survivor that it won't happen again. Things temporarily return to normal and the survivor begins to forget, justify, or minimise the abuse in her head, until the cycle begins again.

Discussion Guide, Question 5: Overly suspicious and controlling behaviour socially isolated Tina

Although the underlying cause of domestic violence is gender inequality resulting in power imbalance, some common triggers include stress, substance abuse, jealousy and suspicion. Tina's husband was controlling, possessive in his demands of her, and based his actions on unreasonable and irrational assumptions. Domestic violence abusers tend to isolate their victims from their support networks and social circles, confining them to the domestic sphere. This makes the victim feel more trapped and alone, as they are then left with no one to confide in, and seemingly no way to escape the abusive situation.

Discussion Guide, Question 6: Doctor was vigilant in identifying domestic violence

After another violent incident of abuse, Tina rushed to the hospital. She was fortunate to have been directed to a doctor who was sensitive and aware of her injuries and their implications, recognising Tina as a survivor of domestic violence. The doctor created a safe and comfortable environment, free of the abuser, for Tina to talk openly and honestly about her situation. The doctor tried to help Tina understand that she was not alone and that there were many organisations and people who could help her. The doctor directed her to WAO, supplying her with their contact number, if she ever decided to leave her abusive home or wanted guidance, counselling, support or information.

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Discussion Guide, Question 7: Social worker provided Tina information and options

When Tina came to WAO, she was connected with one of the social workers who worked there. The social worker informed Tina of what domestic violence was and the various forms in which it could manifest. While also advising Tina of her rights and what she could legally do to protect herself and her daughter, the social worker never pressured her to take a particular course of action.

Instead, the social worker gave Tina support and made her feel safe and comfortable by not pressuring or coercing her. Recognising the client's freedom to choose her future breaks the cycle of control and abuse in which a perpetrator takes away a woman's autonomy and empowerment to make her own decisions. Whatever the client decides to do, she should be supported by the social worker, as what course of action to take is ultimately the client's choice.

Discussion Guide, Question 8: Proactive police officer utilised the *Garis Panduan*

When Tina mustered up the courage to go to the police station, she was connected with an investigation officer who, although did not have the necessarily knowledge on how to handle a domestic violence case, was respectful to Tina and persistent in determining the correct process. However, the IO's peers at the station were not particularly helpful or encouraging. This points to a lack of regular training on domestic violence, which reiterates how law enforcement and society in general may underestimate the significant detrimental effects of domestic violence. The other police officers at the station seemed to hold a flippant attitude toward DV cases, believing that the reports would simply be withdrawn later. Such a response undermines the trauma associated with domestic violence and what survivors experience.

Domestic violence survivors are often misunderstood not only by society, but also by police officers and law enforcement. Domestic abuse is viewed as a matter to remain within the confines of the family, and that should not be aired publicly or warrant any interference from outside parties. Domestic violence is therefore not always perceived as a serious issue that requires intervention from the authorities.

When the IO wanted to help but was not properly equipped or fully confident in what to do, he found guidance in the *The Garis Panduan*, which was published by the Ministry of Women, Family, and Community Development and outlines the roles and responsibilities of government agencies in responding to domestic violence cases. Through this guide, the IO was able to competently

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and confidently assist Tina, helping her complete her statement and informing her of how he would proceed with the investigation. The IO gave her a referral letter for an IPO and a copy of the police report, enabling Tina to be informed and knowledgeable about her decisions and the process that was about to unfold. Finally, the IO also physically accompanied Tina back to her home to collect her personal belongings and bring her daughter with her to WAO's shelter.

A comprehensive community response to domestic violence must not only be sensitive, but competent and confident. The *Garis Panduan* empowered the IO to be informed and carry out his responsibilities to help Tina.

Discussion Guide, Question 9: Prompt action resulted in Tina obtaining an IPO quickly

The IPO is one of the most important tools available to ensure the safety of a domestic violence survivor and her children, and prevent further incidents of abuse. After the survivor files her report at the police station, an investigation officer will then interview the survivor. Following this, the IO gives the survivor a referral letter for an IPO to take to the welfare department in support of an application for IPO, which is then issued by the Court. In Tina's case, prompt action by WAO, the police, and the welfare officer led to her obtaining an IPO within one day of applying for it.

Discussion Guide, Question 10: Tina's daughter felt the effects of domestic violence

After being subject to witnessing her father psychologically and physically abusing her mother, Tina's daughter's behaviour changed. She became more reserved and disinclined to socialising with people other than her mother. This can happen with children who have grown up in an abusive domestic environment. Studies show that a substantial percentage of children of women who are abused later enter abusive relationships themselves. They are also more susceptible to mental illnesses such as depression and anxiety, while also experiencing strong feelings of guilt, fear, and distrust towards people in general. Children who witness or experience abuse may also adopt the abuser's behaviour and perpetuate the cycle of violence. Many abusers witnessed abuse or were abused themselves when they were children.

With early and proactive intervention, Tina's daughter was able to work through some of her issues with the help of play therapy, conducted at WAO, and became more socially comfortable and better adjusted. Creative responses such as play therapy or writing can be extremely valuable in rehabilitating not only women who have been abused, but also their children.

GLOSSARY

DPP	Deputy Public Prosecutor
DVA	Domestic Violence Act 1994
Garis Panduan	Garis Panduan Pengendalian Kes Keganasan Rumah Tangga
Good Shepherd	Rose Virgine Good Shepherd (Ipoh), Pusat Kebajikan Good Shepherd
IO	Investigation officer (police)
IPO	Interim protection order
JKM	Social Welfare Department (<i>Jabatan Kebajikan Masyarakat</i>)
JPN	National Registration Department (<i>Jabatan Pendaftaran Negara</i>)
LRA	Law Reform (Marriage and Divorce) Act 1976
PO	Protection order
WAO	Women's Aid Organisation (WAO)
WCC	Women's Centre for Change, Penang

About WAO's Services

In our service, we focus on critical interventions that limit the adverse consequences of domestic violence:

Our **refuge** is a crisis shelter that provides a temporary home to 250-300 women and children each year, and offers comprehensive support services. In 2016, we sheltered 118 women and 133 children. The availability of our refuge for these individuals ensured that they did not have to choose between homelessness and violence. The refuge is managed by our social workers.

The **child care centre** is a transitional home for children of survivors. On the survivor's request, we care her children in the short-term, giving the survivor the time and support to viably re-establish a safe and independent life in the community of her choice. In 2016, we sheltered, counselled, and ensured access to education for 171 children while their mothers worked towards creating sustainable and independent lives for them.

Case management provides for individual case advocacy, which includes engagement with the police, facilitating legal representation, access to health and other public services for almost 3,000 individuals each year.

WAO counselling is multi-platform and is conducted by our social workers. It comprises individual sessions (face-to-face), the WAO Hotline, SMS text-based helpline (TINA, or "Think I Need Aid"), and emailed enquiries. Our hotline received more than 1,636 calls in 2016. In total, our counselling provided crisis intervention, safety planning, and onward referrals for 2,748 survivors.

Empowerment programmes offer follow-up support to all former refuge residents and their children, in order to empower survivors to break the cycle of domestic violence and maintain their independence. Our support programmes benefited many women and children in 2016. These programmes are run and coordinated by our social workers.

Women's Aid Organisation (WAO)

This is the fifth report produced by WAO on domestic violence response since 1997.

The purpose of this report is multi-fold:

- (1) To help the reader understand domestic violence, from real stories of survivors (see Case Studies and Highlights);
- (2) To help the reader (the policymaker, police officer, welfare officer, hospitals, NGO service provider, or other stakeholder) consider what they can do to stop domestic violence (see Recommendations); and
- (3) To provide the reader with a tool for training and education (see Tina's Journey).

Call the WAO Hotline at +603 7956 3488 or SMS/WhatsApp TINA at +6018 988 8058 if you or someone you know is experiencing abuse.

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WOMEN'S AID ORGANISATION
PERTUBUHAN PERTOLONGAN WANITA