

# WHEN VIOLENCE HITS HOME: DOMESTIC VIOLENCE CASES IN NAMIBIA 2000

*Dianne Hubbard presents a summary of the key findings of a police survey initiated by the Law Reform and Development Commission and analysed by the Legal Assistance Centre. This survey provides the first nationwide picture of domestic violence in Namibia.*

The Law Reform & Development Commission and the Legal Assistance Centre have just released a joint research report which analyses domestic violence cases handled by the Namibian Police.

The study began back in 1996. Questionnaires on police dockets were distributed by the Namibian Police to all 83 police stations in Namibia. The response rate was good, with 64% of all police stations participating. Although police stations in the northern regions and in Erongo were somewhat under-represented, the survey is nevertheless broad enough to provide reliable information on domestic violence cases in Namibia.

## **A profile of domestic violence cases in Namibia**

The study showed that *more than one-fifth of all violent crime* in Namibia occurs within the context of domestic relationships. Yet, since most domestic violence cases are never reported to the police, the actual incidence of domestic violence undoubtedly accounts for a much higher proportion of the nation's violence. The extent of the problem is alarming indeed.

The complainants in the reported domestic violence cases were overwhelmingly female –86%, as compared to only 14% males. The sexual split was not so one-sided in violent crimes other than domestic violence, where about 60% of the complainants were male and only about 40% female. This means that if domestic violence could be eliminated from our society, women would be significantly safer from violence.

It is an inescapable fact that men are responsible for most of the violent crime in our society. Most domestic violence crimes reported to the police are committed by men – about 93%. A similar pattern holds true for other violent crimes reported to the police, with 89% being perpetrated by men.

The most common crime reported within domestic relationships is assault – either common assault or assault with intent to cause grievous bodily harm. This is not surprising, as assault is also the most common form of violent crime reported to the police outside of domestic relationships.

Most of the domestic violence in the survey sample was perpetuated by boyfriends against their girlfriends, either during the course of the relationship or after it had come to an end. The next most prevalent category was domestic violence committed by husbands against their wives, followed by violence committed by brothers against their sisters. There were very few reported cases involving child abuse. In the majority of cases (more than 60%), the complainant and the accused were living in the same household at the time the violence occurred.

Most domestic violence complainants experienced the violent incident in their own homes. It is this home context that makes domestic violence so horrifying -- the place where women should feel safest is actually the most dangerous for them.

Firearms are rarely used in domestic violence offences, with the most common weapons being hands, feet or fists, followed by knives, sticks or clubs. A wide range of common household items were also used as instruments of violence, including things as diverse as scissors, matches (used to burn the victim between the toes), tin openers and hot soup. It seems that a person bent on destruction can make a dangerous weapon out of almost anything which comes to hand. The profile of weapons used in domestic violence offences is similar to that for other violent crimes, except for the fact that guns and knives were more commonly used outside of domestic relationships. But victims of domestic violence are *more* likely to be injured, countering the myth that domestic violence is less “serious” than other forms of violence.

### **Outcomes of domestic violence cases**

The survey confirmed the general perception that complainants in domestic violence cases have a particular tendency to withdraw criminal charges. Police officers attributed this to reconciliation with the accused, economic dependency or intervention by extended family members. But the gap between domestic violence cases and other violent crimes on this point is not so wide as might be expected. About 55% of all domestic violence cases were withdrawn at the complainant’s wish, as compared to about 32% of cases involving other violent crimes. The reason may be that acquaintances were involved in about one-third of the violent crimes which could not be characterised as “domestic violence”, meaning that complainants in these cases may have similar reasons for not wanting to proceed.

But, despite the tendency for case withdrawals, the overall percentage of domestic violence cases resulting in convictions is *almost the same* as for other violent crimes -- 21% for domestic violence cases, compared to 25% for other violent crimes. This means that the time invested in domestic violence cases by police and prosecutors is just as likely to lead to a meaningful outcome as the time invested in other cases of violent crime, disproving another common myth about domestic violence.

Sentencing patterns were broadly similar in respect of domestic violence offences and other violent crimes, with fines being more common than imprisonment in both categories. Suspended sentences were slightly more common in domestic violence cases. This could stem from perceptions of prosecutors and courts about the relative seriousness of domestic violence cases, or it could be a reasonable response to the economic and emotional interdependency between complainant and accused. But while the domestic violence cases in the sample were treated somewhat more lightly than other forms of violent crime, the difference in sentencing patterns between the two categories of cases was not striking.

### **Police attitudes about domestic violence**

A separate portion of the survey asked police officers to provide information about their personal perceptions of domestic violence. Virtually every officer who responded indicated that violence against women and children is linked to alcohol. Some pointed to the problem of alcohol abuse by both perpetrator and victim. The alcohol connection is supported by the fact that domestic violence, like other violence, tends to increase at times associated with increased drinking -- week-ends, month-ends and holiday seasons.

Other causal factors cited included drug use, gambling, unemployment, poverty and the lack of proper housing or overcrowded dwellings. Several officers

cited unequal power relations as a causal factor in domestic violence. They pointed to the husband's traditional position as the head of household, and the fact that women are often economically dependent on the male members of the family. Some also cited men's possessive attitudes towards their wives, girlfriends or children. One respondent summed up the problem as being that "this world is run by mankind".

Most police officers did *not* believe that false charges of domestic violence were a problem. As one officer noted, women who suffer domestic violence have usually endured a lot of abuse before they approach police for the first time, and know that the abuse will continue if no action is taken.

The majority of police officers felt that it is appropriate for police to intervene in a domestic violence situation, even if the complainant does not lay a charge, as a form of crime prevention. Some noted that the violence will escalate if nothing is done. Others said that police must help because it is part of their duty as police officers or because the victim has nowhere else to turn.

Is domestic violence a private matter? About 60% of the police officers said yes, but many of the same respondents also suggested public action to combat such violence. This apparent contradiction could be a sign of evolving attitudes, as domestic violence has moved into the public eye only in recent years. Police attitudes may also reflect the paradoxical nature of domestic violence itself – because it is essentially violence at the hands of someone who is (or at least was) a loved one, even the victims themselves are sometimes undecided about what they want.

The most commonly-mentioned obstacle to effective police response was a shortage of police vehicles, cited in every region. Virtually every respondent recommended the establishment of more Woman Child Protection Units, while many suggested more police training on how to handle domestic violence. Some respondents also wanted greater police powers, including enhanced powers of entry into private dwellings and clearer procedures for giving warnings in the absence of formal charges.

Police also suggested public education campaigns against domestic violence, especially through local churches. They called for greater practical and emotional support for domestic violence complainants, such as counselling services, specialised medical treatment, and more shelters. Other suggestions included more educational and recreational activities for youth, and increased controls on alcohol, drugs and gambling. Many cited the need for law reform around domestic violence. In general, police officers tend to view domestic violence as a crime problem which should be approached by police working hand-in-hand with other support agencies, churches and community groups.

### **New developments**

Police understanding of domestic violence cases is likely to improve, as this issue has received increased attention in courses at the Police Training College since the survey data was collected.

Law reform in this area also seems to be on the move. A subcommittee of the Law Reform & Development Commission has recently prepared a draft Domestic Violence Act, which draws on comparative research by the Legal Assistance Centre and input from Namibian professionals active in this area. This draft bill is now being considered by the full Commission.

The initiative launched by the recent National Conference of Men Against Violence Against Women hosted by the Legal Assistance Centre is also likely to become an important avenue for combating domestic violence, alongside existing

women's groups such as those which have united in the Multimedia Campaign Against Violence Against Women and Children.

The recent study gives us a better idea of the shape of the problem -- now the challenge will be to take action to stop the violence.

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