

Programming Idea 14: Improving women's access to justice

What it involves: Efforts to improve women's access to justice can include:

- training police and judiciary about relevant laws affecting violence, women's human rights and the rights of key populations affected by HIV, better policing and procedural practices, and supportive responses to survivors;
- establishing women police units, domestic violence, or family courts to administer justice;
- increasing collaboration, referrals, and coordination among law enforcement and social services through coalition building and policy changes – known as 'coordinated community response';
- increasing women's literacy and awareness of the laws, their rights, and access to legal services including through paralegals;
- strengthening forensic systems for better documentation of evidence that can be admitted in courts (see *WHO Guidelines for medico-legal care for survivors of sexual violence*) (137).

Summary of the evidence: Countries such as Costa Rica, Nicaragua, South Africa, and the USA have implemented coordinated community responses. While such models have improved coordination of services and redress for women who come forward to report violence (i.e. increasing arrests, cases resulting in prosecution), they have not increased women's use of services or reduced overall levels of partner violence (28,153). The lack of buy-in at the senior level and sustained efforts have resulted in police and judiciary training in Latin America and the Caribbean having limited impact on practice with respect to family violence. Where it has worked, it is

due to the participation of peers in trainings, the use of protocols mandated from the top, and training that has been integrated into pre- and in-service curricula (153). Police and judiciary training has also focused on reducing human rights abuses of key populations vulnerable to HIV (151). Very few of these have been evaluated, and also being part of multi-component HIV programmes makes it difficult to disentangle the impact of police and judicial training components from others (98). In several countries (e.g. Argentina, Brazil, Colombia, Costa Rica, Ecuador, Nicaragua, Peru and Uruguay), special police units staffed by female officers have been established to encourage women to come forward and to offer them more sensitive services. However, evaluations have shown that female police officers do not necessarily have better attitudes towards victims of violence than their male counterparts. Moreover, these units are underfunded, they lack equipment, the female officers are not properly trained, and they are part of a dysfunctional overall justice system. Hence, they have limited impact on quality of care and redress received by women (28,153). Finally, interventions to increase rights literacy of women, community awareness of laws and provide women legal services have largely not been evaluated, making it difficult to draw conclusions about their effectiveness. See Annex 1.12 for examples of interventions to improve women's access to justice.

Conclusion: Evidence suggests that improving access to justice for women who experience violence may require improving the 'whole systems' approach, as isolated efforts to train police and judiciary or increase female officers may have limited impact in the context of dysfunctional justice systems.

Annex 1.12. Good practice examples, programming idea 14: Improving women's access to justice

1. *Training and fostering police accountability to increase sex workers' access to justice:* Tais Plus is a nongovernmental organization that promotes human rights of sex workers, including male and transgender sex workers in Bishkek, Kyrgyzstan. They work to improve sex worker access to direct legal assistance through multisectoral collaborations. The organization works with the police, municipal officials and members of the judiciary. It also provides education to sex workers about their human rights. Since 2003, Tais Plus and the AIDS Foundation East-West have been supporting police training to improve police and sex worker interactions, particularly as many sex workers face violence from the police, sex work managers, clients and criminal gangs. A pilot program, *Legal Support for People Involved in Sex Work*, which began in 2003, offered sex workers direct legal assistance, education about their legal rights, and peer training. The pilot also facilitated collaboration between sex workers and police and other members of the criminal justice system. In the first year of its operation, the project took on 76 legal cases involving sex workers. In 2008, the organization provided documentation of human rights abuses and violence against sex workers in the CEDAW shadow report. Evaluation of its police training is ongoing and results are forthcoming (194).

2. *The Women's Legal Rights Initiative* has implemented several projects to strengthen enforcement of laws related to violence against women and women's rights. For example, in Guatemala, the Initiative trained 50 community women as certified paralegals. The paralegals developed and used a manual on intra-family violence to facilitate better access to legal services for survivors of violence by educating the public about the law, legal mechanisms and available resources to help survivors of violence (195).

3. *Resources for improving women's access to justice:* The United Nations Office of Drug and Crimes (UNODC) has developed a handbook of effective police responses to violence against women that serves as practical guidance for first responders, particularly the police in how to sensitively respond to and investigate cases of violence against women. The handbook provides a number of good practice examples from countries on investigating reports of violence, collecting evidence, responding to offenders, and providing services to victims of violence against women (196).