



State of Human Rights Report - SUMMARY
June 2018



**NATIONAL PUBLIC INQUIRY INTO
FAMILY VIOLENCE IN SAMOA**

'Oute lē lafi i le ata o le la'au'

"Let the TRUTH be out and RIGHT be done"

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Human Rights Institution 2018**

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FAMILY VIOLENCE IN SAMOA

87% **HARSH VERBAL VIOLENCE**
experienced threats of violence in family setting



CHILDREN

86% **PHYSICAL VIOLENCE**
had been subjected to kicking, punching or other assaults



SEXUAL VIOLENCE & INCEST

9.5% female respondents reporting to have been raped by a family member in their lifetime.

CHILD PROSTITUTION & PORNOGRAPHY

The Inquiry also noted the occurrence of other types of sexual abuse of children, that of child prostitution (where the victims are both boys and girls), and child pornography.

VIOLENCE BORNE OUT OF FRUSTRATION

One recurring theme throughout the Inquiry was the observation that physical and harsh verbal discipline / violence often occurred not because the child had done something wrong as a way for the parents to take their frustrations out.

“Have you heard about tourists coming here for sex with young boys? Yes it has occurred and it is happening. There have been cases reported and we also see it.” ~ Police outpost officer, Inquiry public hearings



VIOLENCE TOWARDS NON-BIOLOGICAL CHILDREN

There were stories of adopted children being treated worse by their adopted or step families than biological children. E toso isi (non-biological/ adopted children), ae afisi isi (biological children).

ADULTS

INTIMATE PARTNER VIOLENCE (IPV)

NOFOTANE VIOLENCE

The treatment of nofotane women as inferiors is a breach of the human rights and undermines principles of the Fa’asamoa that of mutual respect (feāvaa’i) and mutual protection (fepuipua’i).

IPV constitutes a large amount of the violence within the family in Samoa:

86% women subject to kicking, punching, slapping, causing bodily harm using a hard object (rock, stick, tree trunk, hose, etc.)

87% women respondents subject to yelling and harsh words

24% experienced choking **87%** women respondents experienced threats of physical violence or bodily harm

INTER-FAMILY VIOLENCE

Violence is inter-related. The prevalence of male on male violence e.g. brother on brother (or between family members themselves), which is often less talked about was highlighted on several occasions to the Inquiry

VIOLENCE TOWARDS OTHER GROUPS



Family violence can and does happen to anyone. There are certain groups who are at risk and to whom attention should be given to understand and to address their vulnerability.

“It saddens me to see young boys who are confused and unsure of their identity being subjected to physical violence by the hands of their own family in the name of making them tough so they do not turn into fa’afafine.” ~ Anonymous fa’afafine participant

SOGISC Persons

Elderly

Fa’afafine

Persons with Disabilities



Source: National Public Inquiry into Family Violence Consultations 2017



PARTICIPATION IN DECISION-MAKING

NATIONAL GOVERNMENT / PARLIAMENT



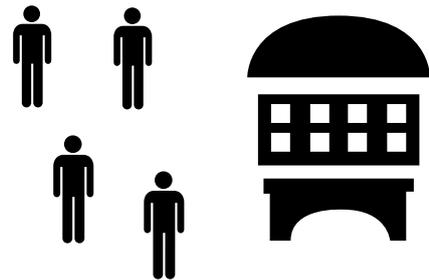
5/50 seats in Parliament held by WOMEN

VILLAGE GOVERNANCE / VILLAGE FONU

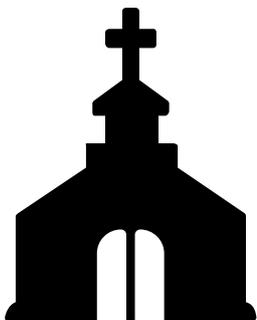
11% of all matai in Samoa are WOMEN

36 villages DO NOT ALLOW women to hold a matai title

21 (8%) Villages recognise women as matai but DO NOT ALLOW women to sit on council meetings



CHURCH GOVERNANCE



Churches have women in different levels of leadership. However, on the whole, DECISION-MAKERS are MOSTLY MALE

PROTECTING WOMEN, GIRLS & CHILDREN FROM FAMILY VIOLENCE IS EVERYONE'S RESPONSIBILITY

GOVERNMENT



Take a leading and proactive role in the prevention of family violence through making family violence as an area of concern for the Village Fono. Encourage reporting and monitor protection orders and parole in relation to family violence.

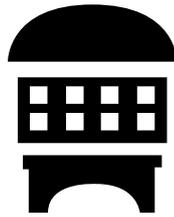


FATHER/ PARENTS

Talk (talanoa), listen and spend time with mother and children. Provide guidance, care, love and support. Have mutual respect for one another. Identify and use positive parenting methods when disciplining children.

VILLAGE FONONO/ MATAI

Take a leading and proactive role in the prevention of family violence through making family violence as an area of concern for the Village Fono. Encourage reporting and monitor protection orders and parole in relation to family violence.



CHURCH/ FAIFEAU

Be proactive in the prevention of family violence through promoting non-violence and preaching a non-violence theology. Offer help and support through spiritual guidance and act as an early warning system. Set limits on church obligations linked to financial capacity of families.



INLAWS

Treat everyone equally and fairly. Greater emphasis on women as maupaolo rather than nofotane.



DOCTOR/ NURSE

Be sensitive to victims of violence. Ensure the proper handling of cases. Offer appropriate help and refer to relevant services.



JUDICIARY

Proactively consider risks posed by ifoga and character references from perspectives of victims of family violence.



FAMILY/ AIGA

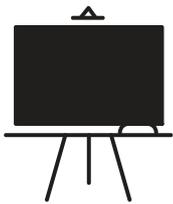
Provide a supportive and caring environment for everyone to enjoy. Recognize and strengthen the 'vā tapuia. Make a positive influence.

POLITICIANS

Universal moral support, acceptance and endorsement of Inquiry recommendations. Lead by example.

TEACHER

Educate and raise awareness of students about healthy relationships and sexual education. Eliminate the use of corporal punishment and identify appropriate ways of disciplining students.



POLICE

Be approachable & sensitive to victims of violence. Ensure the proper handling of cases and proper recording of data, and lead by example.

NEIGHBOUR

Talk to your neighbours & don't be afraid to report incidents of violence to the relevant authorities where there is imminent harm to life.



MEDIA

Report family violence in a manner which protects victims and enhances national understanding of the nature and causes. Promote gender equality and avoid gender stereotypes through appropriate media programmes etc.



PLAY YOUR PART
Let's not hide in the shadows of the trees anymore.
Let the TRUTH be out and RIGHT be done.



FAMILY VIOLENCE PREVENTION & PROTECTION SYSTEMS

FAMILY

- Re-establish talanoa between parents and children and between families to enable a safe space for sharing views and issues etc.
- Create a safe environment for everyone to be free from violence, and lead and set good examples for children.
- Place emphasis and importance on Fa'asamoa principles of fa'aaloalo, Vā Feāloa'i/ tapuia etc.
- Identify and practice alternative ways of disciplining children and positive parenting.
- Take responsibility and consider alternative ways to minimise cultural and religious financial obligations.

CHURCH

- Re-establishment of regular visits to those within a congregation to develop close links.
- Carry out marriage counseling in their parishes and set limits on church obligations
- Establish national guidelines for church ministers dealing with victims and perpetrators of family violence including cessation of counseling to return to abusive relationships.
- Establish emergency shelters for victims, as well as complaints and reporting mechanism (and associated disciplinary process) for perpetrators of violence within the church.

MALO

- Make family violence an area of concern for the Village Fono.
- Create Village Safety Committees responsible for all matters relating to family violence prevention and protection.
- Introduce by-laws to encourage reporting of family violence to Village Fono; innovative punishments for family violence matters utilising suspended fines and/or community based punishments; community based punishments for alcohol abuse cases; and lighten burden of fa'alavelave contributions.
- Introduce mandatory reporting to the Police by the Village Fono/ Village Safety Committee.
- Monitor protection orders and parole in relation to family violence.
- Allocate designated shelters for victims of family violence and consider eliminating the general use of banishment for cases of family violence unless clearly justified.

FAMILY VIOLENCE PREVENTION & PROTECTION SYSTEMS

GOVERNMENT/ MINISTRIES

- Establish a Family Violence Prevention Office to coordinate key actors in the field of family violence and implement Inquiry Recommendations.
- Develop and include in school curriculum topics including family safety and financial literacy.
- Strengthen the ban of corporal punishment.
- Monitor and evaluate impact of existing and future awareness raising campaigns.
- Increase spending and accountability on family violence programmes.
- Establish centralised data collection system across ministries and NGO service providers.
- Strengthen the legislative framework by enacting the Child Care and Protection Bill and amend the Family Safety Act 2013 to include financial abuse as a type of violence.
- Provide shelters to meet the needs of victims and monitor standards.
- Police to adopt a zero tolerance approach throughout the police service, increase community policing and conduct family safety training for all.
- Health to acknowledge family violence as a public health issue, establish screening process for family violence, conduct family safety training for health professionals, and further develop the allied health service.
- Acquire trained counselling capacity.
- Establish Community law Centre with sufficient resources to meet national need for legal aid provision and awareness raising.
- Strengthen and coordinate the Non-Governmental Organisation sector response to family violence.
- Develop (or build on existing) educational programmes to address issues around causes and triggers of family violence.

MEDIA

- Set national standards for reporting and to minimize harmful effects of media coverage.
- Train journalists/ media bodies on the nature, causes and impacts of family violence and the role that they can play in promoting gender equality and avoiding stereotypes or violence.

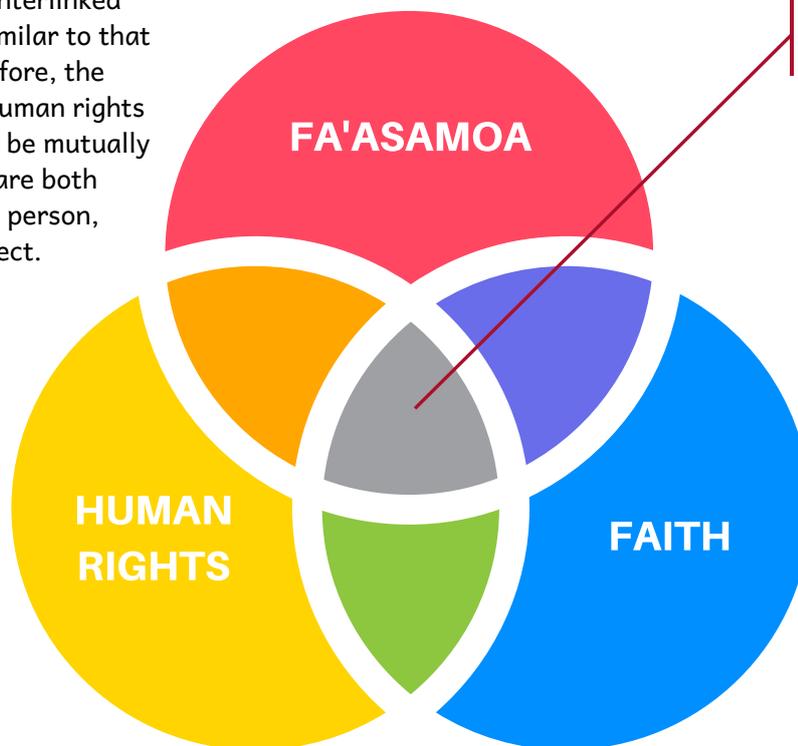
NGOS

- Train and build capacity of NGO sector e.g. counselling services etc.
- Develop a standardized data collection system
- Ensure activities and programmes promote gender equality, and avoid stereotype and further harm.
- Work with Government in relation to providing needed services for victims of family violence.

FAMILY VIOLENCE PREVENTION APPROACH: THE 3 PILLARS

The principles contained within the Fa'asamoa, Faith and human rights are central to the debate of the Inquiry. They contain standards, values, norms and approaches which, when well applied, can prevent and protect against all forms of family violence.

The Fa'asamoa embraces inclusivity, respect, communication and peace. It adheres to the view that its principles are interlinked and interdependent, similar to that of human rights. Therefore, the relationship between human rights and the Fa'asamoa can be mutually reinforcing given they are both rooted in dignity of the person, love, equality and respect.



Respect, Love,
Protection,
Security, Dignity,
Equality, Fairness

Human rights principles are inextricably linked to the Fa'asamoa and Faith. Solutions are strengthened by an approach encompassing all three.

Christian values are founded on unconditional love, kindness, respect, integrity, peace and forgiveness, which are invariably interlinked with the Fa'asamoa in the same mutually reinforcing manner as described between the Fa'asamoa and human rights.

Respectively, the individual rights of survivors and protecting them from future violence, in turn strengthens the protection system for the whole community. Violence can spread and what starts out as violence in the home spills out into the villages and towns, as we have seen with the very public attacks that are becoming more commonplace.

By better protecting the rights of those individuals we will also be protecting the collective rights of others.

INQUIRY FINDING 1: Family violence is a complex social problem where causes, triggers and consequences are inter-connected. It requires a nationally coordinated approach to prevention and protection. Within the Samoa context, such a national approach should be driven by the Fa'asamoa, Faith and human rights framework.

PART I: INTRODUCTION



1. The Inquiry

The Office of the Ombudsman (**Office**) is the National Human Rights Institution (**NHRI**) of Samoa and the only 'A' accredited NHRI among the small Pacific Islands. Its role is to protect and promote human rights by standing up for those in need of protection and holding Government to account in relation to its human rights obligations.

Among the wide-ranging duties and powers granted to the Office by the *Ombudsman (Komesina O Sulufaiga) Act 2013* is the ability to conduct a *National Public Inquiry*.¹ This tool enables an NHRI to examine a large and complex situation where the analysis, findings and recommendations are driven by the general public – it is truly a *national conversation*.

Shortly after its establishment the Office identified family violence as a priority human rights concern and determined that its complex nature meant a National Public Inquiry would be the ideal approach. Due to the broad scope of violence in Samoa, the Office chose to focus its first Inquiry on 'Family Violence' with emphasis on violence against women and girls and the impact of violence on the upbringing of children. The Inquiry also sought to address the impact of family violence on any other vulnerable group identified during the process. For the purposes of the Inquiry:

“Family” means all members of a Samoan *aiga* (family) living in a typical communal or small unit setting.

“Violence” covers all forms of violence such as emotional/physiological, physical, sexual and financial. In addition, it also includes “any other controlling or abusive behaviour where such conduct harms or may cause imminent harm to the safety, health or wellbeing of a person.”²

A team of Commissioners were appointed by the Ombudsman to lead the process and were given the task of inquiring into who in Samoa is most vulnerable to family violence, what are the root causes, the impact and possible solutions.

From December 2016, the Commissioners began to collect evidence on which to base their final Report to Parliament in June 2018. They did so through: (i) research, (ii) conducting extensive consultations with communities in both Upolu and Savaii³, Non-Governmental Organizations (**NGOs**) and Government, (iii) written submissions, and (iv) public and closed hearings which were held over three weeks allowing survivors, perpetrators and other witnesses to come forward and tell their stories, their understanding of family violence and how it could be addressed.

¹ See section 34 of the *Ombudsman (Komesina o Sulufaiga) Act 2013*.

² See section 2 of the *Family Safety Act 2013*.

³ This involved focus group discussions and a survey of 1,500 respondents.

Throughout the Inquiry the Commissioners sought to view the human rights concerns that arose through a cultural and religious lens. Similarly, the final recommendations draw heavily on the *Fa'asamoa* (Samoan culture or way of life) and Faith.

2. The Nature of Family Violence

There are many faces of family violence, many victims, and many different kinds of perpetrator. Not only that, family violence affects people in different ways across different cultures. The types of violence carried out are numerous and encompass:

- Physical violence: anything from a slap or a push on one end of the scale to being hit with a machete or shot with a gun at the other end of the scale.
- Sexual violence: Physical violence can also be of a sexual nature and include unwanted touching, harassment, rape, incest;
- Emotional/Psychological and Verbal abuse: intimidation, isolation, coercion, jealousy, threats, neglect, blaming, shaming and name calling are all examples of verbal abuse which can have a negative impact on a person emotionally, often of a long term nature;
- Financial violence: when one person in a relationship has control over the other's access to economic resources, limiting their independence and forcing them to depend on their partner;
- Any other controlling or abusive behaviour where such conduct harms or may cause imminent harm to the safety, health or wellbeing of a person.⁴

Regardless of the type of violence, violence (within and outside the family setting) has its roots in **power and control**. 'Violence' is a means of exercising and protecting power and control over another person. A further common characteristic of violence is that it is cyclical. The cycle of violence occurs both within a relationship and between generations. This nature makes it hard to break out of, but not impossible.

One of the most common forms of family violence is that towards women arising out of male dominated societies.

"Gender based violence against women is one of the fundamental social, political and economic means by which the subordinate position of women with respect to men and their stereotyped roles are perpetuated."



CEDAW Committee, General Recommendation 35, Inquiry Document 72

A large proportion of family violence is perpetrated against women and girls and therefore much of the Inquiry focused in this area. However, the Inquiry also considered all other types of family violence and whether the causes of that are also linked to gender inequality or if there are other roots.

3. Samoan Context

Protection against family violence in Samoa can be found in the law, culture and Faith. The longstanding traditional protection mechanisms of families in Samoa are found in communities and congregations (which are made up of families) *and* Village Fonos which hold society together. The Constitution provides for a variety of rights including the right to life (Article 5), personal liberty (Article

⁴ See section 2 of the *Family Safety Act 2013*.

6) and freedom from inhuman treatment (Article 7). Furthermore, there have been various legislative reforms such as the Family Safety Act 2013 providing further protection for victims of violence. The rights guaranteed by the Constitution and protections offered by the different laws are strengthened by Samoa being party to the Convention on the Rights of the Child (CRC), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities (CRPD), all of which provide extensive protection against family violence. Furthermore, the *Fa'asamoa* is a non-violent culture based on *alofa* (love) and the *aiga* and establishes various social protocols that guard against family violence. The final protection mechanism comes in the form of Faith and Samoa's status as a Christian nation, where such values preach non-violence, tolerance and peace. However, the prevalence of such violence in society suggests these forms of protection are currently failing.

“Family Violence is a national crisis issue; it is complex given its cross-cutting nature, widespread and remains shrouded in a culture of silence and acceptance as normal.”

Ministry of Women, Community and Social Development, written submission, Inquiry document 1



“There is an epidemic of violence in our society. Far too many lives have been lost and serious injuries caused.”

Justice Tafaoimalo Leilani Tuala-Warren, Inquiry document 49

Whilst family violence is not unique to Samoa, the prevalence appears to be far higher than the global average with the Inquiry survey finding 87% of respondents within the family setting had experienced threats of violence and 86% had been subject to kicking, punching or other assaults. A shocking 9.5% of female respondents reported to have been raped by a family member⁵ in their lifetime, almost one in ten.⁶ Twenty years ago family violence was not talked of publicly – even five years ago it was not as common to talk about as it is today. Samoa has come a long way in terms of being able to speak about family violence where it was previously not possible and this has shone a light on how widespread the problem is.

A firm characteristic of family violence in this country is the ‘veil of silence’ it hides behind, that is only slowly being lifted. It is widely acknowledged that reported cases of family violence are only ever the tip of the iceberg. Recent figures show that only 11% of victims of family violence reported the abuse they had experienced and if it is not reported it is allowed to flourish.⁷

⁵ For more information refer to “Stakeholder Consultations Report.” Document 58 Inquiry anthology, accessible at www.ombudsman.gov.ws.

⁶ For more information refer to “Stakeholder Consultations Report.” Document 58 Inquiry anthology, accessible at www.ombudsman.gov.ws.

⁷ Ministry of Women, Community and Social Development. (2017). *Samoa Family Safety Study*. Document 46 Inquiry anthology, accessible at www.ombudsman.gov.ws.



PART II: FAMILY VIOLENCE IN SAMOIA

This part of the Report will examine family violence in detail, as told by the victims, survivors, and perpetrators themselves. It comprises a series of case studies and experiences, organized by type of violence, which will inform later analysis of the issues.

4. A Cycle of violence begins

4.1. Children

4.1.1 Physical violence

Like many other countries in the world, physical discipline/violence in Samoa as has been used for generations as a common approach for raising children. The overwhelming majority of Samoans believe physical violence/disciplines required teaching right from wrong and there are few calls for it to be banned.¹ Common parental approaches to raising children are commonly justified by the *Fa'asamoa* and religious texts.

“Teaching children in the family is not seen as a dialogue between the parents and child but as a process in which the parent gives advice or instructions, and the child obeys and listens.”



Participant during Inquiry Community Consultations

The Inquiry found this common approach requires the use of physical or harsh verbal discipline / violence to ensure obedience and retain power and control.

Case studies

Tavita* - an 8 year old boy beaten by his step-father for misbehaviour. Tavita died of his beatings.

Tina* - a medical student who was warned by a senior nurse against reporting the serious physical abuse of a 14 year old patient because it was not their place to get involved in family matters.

Solomona* - endured years of physical abuse at the hands of his father from the age of 11 and eventually escaped with the help of an NGO but has never been able to forget the pain and suffering.



¹ Feedback received from Inquiry village consultations.

Falaniko* - a father whose wife turned on their adopted children after they had biological children, regularly beating and verbally abusing them, including throwing their daughter's head against a concrete slab while he was at work.



*Names changed to protect the identities of those involved.

The experiences of Tavita, Tina, Solomona, Falaniko and Teulia give the Inquiry an insight into the types of violence endured by children in Samoa. Their experiences are representative of many, with 89% of girls and 90% of boys being subject to violence in their lifetime, and 69% of girls and 63% of boys experiencing violence within the past 12 months.² This indicates that not only is violence widespread but it is regular.

4.1.1 Harsh verbal discipline/violence

It was clear during the Inquiry that for some, harsh verbal discipline/violence was not considered a form of violence. Some reasons for this may include the lack of understanding of what constitutes harsh verbal/violence, or the consideration of it to be normal because of the way they were brought up.

Case Study

Teuila* - became pregnant as a teenager and turned to her family for support but received only abuse and shame. Unable to cope Teuila took her own life.



*Names changed to protect the identities of those involved.

4.1.2 Sexual abuse and incest towards children

In addition to physical and harsh verbal violence/discipline, the Inquiry found evidence of an epidemic of sexual abuse and incest in Samoa.

Case studies

Lani Wendt Young** - sexually abused by a trusted relative from the age of 7 years old and felt to blame for her own abuse because of what she had been told about sex, the need to dress modestly and the sexual appetite of boys. This victim blaming led to years of psychological trauma and 20 years of counselling before Lani could open up to anyone about her experiences.

Sisilia** - from the age of 4 was sexually assaulted by her older cousin and despite becoming a successful lawyer and mother of two, still continues to bear the weight of her abuse which she believes will last a lifetime.

Tasi* - raped continuously by her own father from the age of 14 following her mother's death. Despite her repeated cries and pleas her father continued to rape her, fathering numerous children with her before finally being reported to the police.



² Ministry of Women, Community and Social Development. (2017). *Samoa Family Safety Study*. Document 46 in Inquiry anthology, accessible at www.ombudsman.gov.ws.

Sala* - regularly molested by her step-father until she had enough and ran away from home. Her mother came to retrieve her, did not believe the allegations and beat Sala with the cord of an electric kettle. She continues to not believe her despite the matter now being referred to the police.

Iulia, Marisa and Tane* - between the ages of 9 and 14 were sexually assaulted many times by their uncle who also regularly raped Iulia. She feared he would kill her if she reported him and they all suffered physical injuries and long-term psychological impact as a result of the abuse.

Masina*- sexually molested by her step-father when she was 11. Her mother did not believe her and would always monitor her clothing to make sure she was not provoking the abuse. She still struggles to deal with the emotional effects of the abuse and her children and husband are now directly affected by the impacts of her experiences.

*Names changed to protect the identities of those involved

** Witness consented to the use of their real name or case was already in the public domain.



Reliable and comprehensive data on how many children this is happening to is simply not available. Most children do not report their abuse and some who do are not believed or beaten into silence. However, the widespread nature of sexual violence and incest was also impressed upon by the Inquiry by Justice Vui Clarence Nelson:

“We have to listen to so much heartbreak. Stories that our community never gets to listen to. This is the room (his courtroom) you have a 10 year old girl telling me about being raped by her father. You will have a 6 year old boy telling us how his uncle sexually abused him. 6 years old! You will hear stories of incest where a father repeatedly commits sexual intercourse on his own biological daughter. There are three cases on today. All rape. In my courtroom it is the rape of a 14 year old niece by her 60 year old uncle. In the court next door it is rape by a 30 year old man on his 14 year old neighbor. In the court room next door it is the rape of a 17 year old boy by a 55 year old. This is our reality.”



Justice Vui Clarence Nelson, Supreme Court Judge, Inquiry public hearings

4.1.2 Other emerging forms of sexual violence against children

The Inquiry was also told of a number of other different types of sexual abuse of children, that of child prostitution (where the victims are both boys and girls), and child pornography.³ This concerning trend has been under-reported so far but was confirmed by other witnesses to the Inquiry, including those working in the media. Additionally, the Judiciary has started to come across cases of child prostitution and this was confirmed by Justice Vui.⁴ Whilst strictly falling outside of the scope of the Inquiry, the root causes of child prostitution and child pornography may be similar to other types of child abuse and violence.

³ See also Lurlene Christiansen. (2015). “Child Sex Tourism in Samoa.” *Global Study on Sexual Exploitation of Children in Travel and Tourism Expert Paper*. Retrieved from <http://www.ecpat.org/wp-content/uploads/2016/10/4.7-Expert-Paper-Christiansen-Lurelene.pdf>. Accessed 26 April 2018.

⁴ MJCA and UNICEF. “Empowering the Youth & Empowering the Family Unit to stop Violence – Youth and Family Courts.” Workshop. Apia, November 2017.

4.2. Adult violence

4.2.1 Intimate Partner Violence (IPV)

Case studies

Hope* - following her marriage to a Cabinet Minister was treated by her in-laws as a subordinate and began to suffer verbal and physical abuse from her husband. This culminated in the Cabinet Minister striking her over the head with a bottle in front of the whole family, and her son, as they sat at the dining table. She fled but he continued to threaten her. She filed for divorce and remained quiet to protect his public image. Despite this he was later heard to boast about how he had beaten his wife and how she deserved it.

Destiny* - 19 when she married Fetu and 6 months later started to experience physical abuse, which worsened in nature over time. When she returned from the funeral of a friend that Fetu had said she should not go to he raped her whilst pointing a pair of scissors at her neck. Destiny escaped with her child but still has to have regular counselling to deal with the trauma.

Eteuati Ete** - despite his outgoing cheerful public nature, behind closed doors Eteuati beat his wife on several occasions, including punching her with such force as she drove their car she was left with a severely swollen eye. They are now reconciled and he says facing up to his violent personality was the 'scariest thing to do'.

Talia* - during the night and after returning from taking her children to church against the wishes of her husband Talia awoke to find him pointing a shotgun at her forehead. She fled and when her husband couldn't find her he set fire to their possessions. The police refused to intervene as they were too scared and told her to wait until he calmed down.

Losa* - subjected to violence and emotional abuse by her husband from their first child to their 11th. He got angry at the smallest things and then often beat her. His acute jealousy also led to much violence. Not wanting to break her family apart, Losa suffered in silence for years.

Malo* - used to beat his wife and children routinely for 20 years until they left him. It was many more years before he faced up to his problem and sought help from the church and has now turned his life around.

Malia* - was beaten from the early days of her relationship where her partner would give her a few slaps here and a punch there. Over time the violence escalated further until one day he hit her with a golf club with such force the head broke off. Malia left and despite his pleas to return stayed away, fearing for the life of herself and her child.

*Names changed to protect the identities of those involved.

** Witness consented to the use of their real name or case was already in the public domain.



The pattern of abuse in many of the relationships relayed to the Inquiry was one of worsening violence and where the abuse was often not related to the actions of the victim, rather arising solely from the frustrations of the perpetrator. The severity of the violence in some of the cases was shocking and in many instances it was only fortune that meant the victim was still alive. Common features of victims of intimate partner violence were identified to:

- Have suffered over an extended period (for example throughout a 20 year marriage);
- Have been hospitalized with severe injuries (for example one victim had a broken rib, black eyes and internal bruises);
- Have been beaten in front of the children and heard their children's cries (for example one child called out, 'that's enough daddy, please do not')
- Have reported each incident to the mother in law, or other family friends and as a result the mother in law beat her up or the family members ignored her;
- Have forgiven the husband or partner for the first incident and did not report because of fear.

Throughout the Inquiry cases of such violence regularly appeared in the media and the nature of the violence appeared to be worsening. Two cases involved women being stabbed in very public places, and in one occasion in front of their children. These events both indicate that IPV is becoming so common to the point that people are no longer trying to keep it hidden, away from public eyes. This is supported by the statistics on IPV from the various sources, which suggest that violence between partners is rampant across society and becoming the new norm in Samoa.

The Inquiry survey of 1,500 people also sheds further light on the prevalence of violence within our families (the following statistics apply to all family relationships and not just between intimate partners):

- 87% of respondents had been subject to yelling and harsh words;
- 87% had also experienced threats to cause physical violence or bodily harm;
- 86% had been subject to kicking, punching, slapping, causing bodily harm using a hard object (rock, stick, tree trunk, hose, etc.);
- 24% had experienced choking.

The Inquiry also found that people were becoming so sensitized to violence that for some a kick, a slap or a punch, no longer constituted violence and it had to be far more serious in order to meet that threshold. Actual figures on prevalence of violence are therefore likely to be even higher.

The statistics on prevalence of sexual violence within a relationship are just as concerning. The Family Health and Safety Study 2000) (FHSS 2000) reported one in five women having been raped by their partner.⁵

⁵ Ministry of Women, Community and Social Development. (2017). *Samoa Family Safety Study*. Document 46 in Inquiry anthology, accessible at www.ombudsman.gov.ws.



4.3. Other types of adult family violence

4.3.1 Nofotane violence

Case studies

Lote* - verbally and emotionally abused and treated as a slave for years by her in-laws, making her life hell. Threatened by her mother-in-law who said she would stab her with a crow bar.

Pandora* - beaten by her in laws and husband who feared she would reveal the family secret – that her father-in-law had remarried his own step-daughter.

Lusia* - viewed as a nofotane (woman who has married in to her husband's family) whose role it was to perform all the household chores from morning until dusk even after she became pregnant and despite her husband continuing to do as he pleased, drinking and socializing daily with friends.

Kori* - lived with his cousin and cousin's wife and witnessed the regular abuse inflicted upon her. One day the cousin punched her so hard she fell and cracked her head. The cousin then grabbed a knife to strike her with before Kori intervened and hit him to protect the wife.

*Names changed to protect the identities of those involved.



The position of *nofotane* in the Samoan family has led to them experiencing abuse at the hands of their in laws. Their role in the *aiga* has been taken by some to an extent to be a menial one within the family, creating a hierarchy of power, this is sometimes maintained through physical violence and verbal abuse, as was the case for Lote.

The treatment of such women as nofotane as inferiors is as a breach of the human rights through the violence they have to endure. This is also discrimination on their status as in-laws and a breach of their right not to be subject to degrading treatment.⁶

4.3.2 Inter-family violence

Case studies

Afereti* - had been drinking heavily and started to act aggressively towards his brother. Afereti put a machete to his neck and tried to hit him with it but cut an electric cable and the lights went out. As he was walking away he grabbed his eldest son and entered into an argument with him. Afereti drew a knife once more, grabbed his son and pulled him towards as he struck him three times, cutting his throat to the bone and severing the major arteries. His son collapsed and died.

Aleki* - returned to his house one day to find his two adult sons fighting. He asked them to cease but one turned on his father and began beating him. The



⁶ Convention on the Elimination of Discrimination Against Women, Articles 1- 5.

other son pulled them apart and Aleki grabbed a machete and stabbed the son who had hit him through his back into his internal organs.



*Names changed to protect the identities of those involved.

The prevalence of other forms of violence to IPV within the family in Samoa appears to be of a similar magnitude and equally worrisome. Take for instance the cases of Afereti and Aleki above. These cases were heard only one month apart in November and December 2017 respectively. Throughout drafting of this Report, the Inquiry had too many examples and case studies it could unfortunately have drawn from, and the number rose daily.

The stories above also reinforce the notion that violence is inter-related. In most of these studies the violence is not aimed towards one particular person but is a pattern of controlling behaviour towards those around the perpetrator.

5. Violence Against Other Specific Groups

Family violence can and does happen to anyone from any demographic – rich or poor, young or old. Nonetheless, there are certain groups who are particularly at risk and as such particular attention should be afforded to them to understand why there is an increased vulnerability and the lived experiences of those within a particular demographic in order to formulate a more sensitive approach to prevention and protection.

The Inquiry sought to consider groups known to be particularly at risk from the outset and accordingly engaged with key advocacy groups such as the Samoa Fa’afafine Association (SFA) and Nuanua O Le Alofa (NOLA) to encourage submissions from their networks and respective organisations. Some of the groups identified by the Inquiry who are particularly at risk include persons with disabilities, the elderly, *fa’afafine* and persons of diverse sexual orientation, gender identity and sex characteristics (SOGISC persons).

In relation to *fa’afafine*, the SFA highlighted that young boys showing feminine traits at a young age are often subjected to severe violence at the hands of their own families and that this is not reported due to intimidation of the victims, fear of reprisals and being disowned, lack of effective redress and a belief that no crime has been committed.

“It saddens me to see young boys who are confused and unsure of their identity being subjected to physical violence by the hands of their own family in the name of making them tough so they do not turn into *fa’afafine*.”



Inquiry consultation participant

The Inquiry was told that verbal abuse of *fa’afafine* is so common and normal that many do not see it as a problem so it is not reported, with parents being the most common perpetrators. Once more the inter-related nature of violence is becoming more apparent. In the same manner that physical and verbal abuse within relationships and towards children is becoming accepted and normalized, it appears this is also the case in relation to *fa’afafine*.

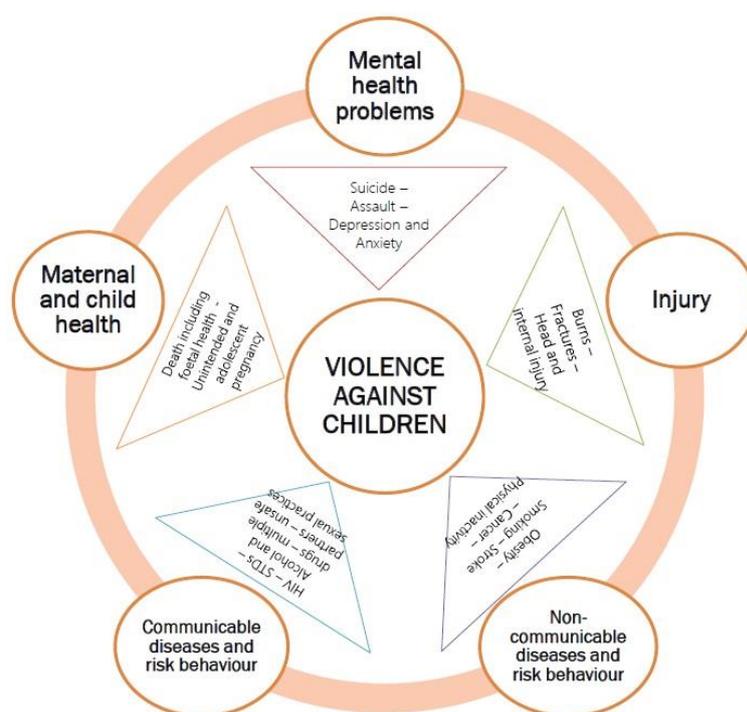
There is a great lack of reliable data and information on the impact of family violence towards persons with disabilities, elderly and SOGI persons. These groups requires comprehensive study in order for firm conclusions to be drawn. *Fa’afafine* is just a brief glimpse of one particular type of violence, towards one small section of these broad groups but does little to comprehensively identify the full

range and nature of violence experienced. Nor does it tell us of the prevalence of these types of violence. What it does tell us, as supported by other evidence gathered during the Inquiry, is that violence against these groups is occurring. This form of discrimination needs to have a greater spotlight shone on it in the near future.

6. The Impact of Family Violence

One of most recent and comprehensive multi-agency studies into violence against children, identified 24 consequences violence towards children can have:

Inquiry Info Point 8: The Impacts of Violence Against Children



Adapted from: **Equal Rights for Women Worldwide**

The Inquiry found strong evidence that exposure to violence, whether directly or indirectly, physical, verbal or emotional, caused children to experience long term physical and mental consequences. This subsequently leads to behaviour that put them at far greater risk of further violence, either as a perpetrator or victim. For example it is evident that children may internalise insults and verbal aggression at the hands of their parents or care givers and feel rejected and abandoned. This can lead to higher levels of physical aggression and interpersonal problems which then directly cause more violence at a later stage or directly to extreme consequences such as suicide.

The impact of family violence on adults was found by the Inquiry to be just as wide-ranging and severe. Abused women were 56% more likely to always feel tired, 46% more likely to experience nervous tension and 38% more likely to be unhappy.⁷ Indeed, all of the impacts that can be seen in relation to

⁷ SPC and UNFPA. (2006). *Samoa Family Health and Safety Study 2000*. Document 83 in Inquiry anthology, accessible at www.ombudsman.gov.ws.

violence against children can also be seen in violence against adults i.e. the loss of self-esteem, the health consequences, and the behavioural decline. Most concerning of all is the extremes to which the psychological and physical effects push many people.

33% of women who are raped contemplate suicide and 13% actually attempt to take their own lives⁸ and when considered in conjunction with the statistics that one in five women are raped by a non-family member and almost one in ten by their intimate partner in their lifetime in Samoa. It leads to the startling conclusion that between 7% and 10% of women in Samoa may have considered suicide through rape within the family alone.

There are currently approximately 92,000 women and girls alive in Samoa today.⁹ If the prevalence of family violence uncovered by the Inquiry holds true:

- 18,400 will be raped by a family member;
- 8,832 will be raped by their husband or partner;
- 6,348 will consider suicide;
- 2,300 will attempt suicide.

These are not just numbers, they are sisters, mothers, daughters, wives, neighbours, and friends.

“Violence against women appears to be socially legitimized and accompanied by a culture of silence and impunity.”

CEDAW Committee concluding observations during review of Samoa, 2012

“I do not think this is an illegitimate suggestion that there is social legitimization.”

Lemalu Hermann Retzlaff, Attorney General of Samoa, Inquiry public hearings



Throughout the Inquiry it became increasingly apparent that family violence in some form has become an accepted part of life for most people in Samoan society. It is something which is inevitable, must be tolerated or simply goes unnoticed. This in itself is a significant barrier to both reporting family violence and contributes to an ever worsening cycle of violence at a societal level.

There is of course a moral and a cultural argument that family violence should be a public concern. On top of all of this there is the economic cost of family violence to consider.

⁸ Refer to “You should have been more careful: when doctors shame rape survivors.” *Guardian*. (15 October 2017). Document 55 Inquiry anthology, accessible at www.ombudsman.gov.ws.

⁹ Samoa Bureau of Statistics. (2016). *Samoa Census 2016*. Retrieved from www.sbs.gov.ws/index.php/new-document-library?view=download&fileId=2114.



“For every death (due to violence) there are 10-40 times as many injuries severe enough to warrant medical attention. These consequences produce massive direct and indirect costs that can hinder economic development, increase socioeconomic inequality and erode human and social capital.”¹⁰



World Health Organisation

Family violence costs every single person in Samoa in a number of ways from limiting economic opportunities for those directly affected by violence to substantially damaging the overall economic development of the nation. The economic cost of family violence alone makes the matter one of great public concern.

Efforts have already been made to calculate the cost of violence in Samoa and the Family Safety Study 2017 (FSS 2017) found in 2013-2014 domestic violence cost ST \$14.7m on health and police services alone. The report went on to say that it believed this to be only around 15% of the actual cost which would be \$98m or 5.8% of Samoa’s GDP. However, the total figure is far more likely to be in the region of 6 – 7% of Samoa’s GDP, in line with the cost calculated in studies carried out in other countries in the region. This means that family violence may well have cost Samoa \$132.02m, or more, in 2016-17, the equivalent of \$1,090 for every person 15 years or older - the equivalent of roughly three month’s work on minimum wage.

¹⁰ A Butchart, D Brown, A Khanh-Huynh, P Corso, N Florquin, R Muggah. (2008). *Manual for estimating the economic costs of injuries due to interpersonal and self-directed violence*. Retrieved from http://www.who.int/violence_injury_prevention/violence/activities/economics/en/. Accessed 13 May 2018.



PART III: EXISTING APPROACHES, CAUSES & TRIGGERS

In order to tackle family violence its causes must be fully understood and the effectiveness of the current protection and prevention framework assessed. Part III examines the range of causes and triggers identified throughout the Inquiry and places them in the current context of beliefs, services and systems.

7. Attitudes, Beliefs and Practices

7.1. Children

The Inquiry found compelling evidence to suggest attitudes towards children and the way they are treated and raised is a significant contributor to family violence and that this happens primarily in five ways:

- i. *Intergenerational violence* – where violence towards children has consequences which increases the risk of them becoming a perpetrator or victim of further future violence;
- ii. *General failure to take responsibility for child-raising* – parents blaming external factors for their child’s misbehavior despite evidence showing it is violent discipline within the home that leads to increased risk of anti-social behaviour;
- iii. *Confusion over ‘reasonable punishment’* – under Samoan law¹ parents are allowed to administer ‘reasonable punishment’ but this lacks legal clarity so no-one truly knows where the line is and it is almost impossible to hold parents accountable when it constitutes violence;
- iv. *Lack of communication between parents and children* – children are only taught how to deal with situations through violence and not given effective communication skills to resolve matters peacefully;
- v. *Gender stereotypical roles enforced from birth* – boys being raised as superior to girls, allowed to do as they please and treated as sexual beings with insatiable urges. Girls are taught to modify their behaviour so boys do not have to take responsibility for theirs.

A key consideration for the Inquiry was whether any forms of physical or harsh verbal discipline/violence is reasonable and should be condoned. In weighing up the extensive evidence the Commissioners found that:

- The *Fa’asamoa* and human rights both enshrine the role of the parent to guide a child’s development and that the standard for parenting is to ensure it is in the child’s best interest.
- The range of negative consequences of violence towards children can never be said to be in their best interest, therefore any actions which increase the risk of these consequences constitutes violence.

¹ See section 14 *Infants Ordinance 1961*.

- All forms of physical and harsh verbal punishment towards children can lead towards these consequences, amounting to violence towards children.

7.2. Gender roles

It is commonly claimed that men and women enjoy equal status in Samoan society but the Inquiry found extensive evidence to the contrary. Instead Samoa is built on patriarchy and this lies at the heart of the majority of family violence, as it does with gender based violence in the rest of the world.

The entrenchment of the patriarchal society has been the status quo for many years now. The FSS 2017 clearly demonstrated this when it reported that:

- 90% of female respondents believe a good wife obeys her husband;
- 79% of non-victims of abuse and 87% of victims believed a man should show her partner who is boss;
- 97% of men believed women should obey.

“It is clear that actions of men against women are a reflection of gender-based power and control. This means women are subordinated to their husbands and assumed to have less or no control over family affairs and their own bodies. The act of family violence is seen as a ‘policing mechanism’ to keep women in the household and society more generally.”



Samoa Family Health and Safety Study 2000, Inquiry document 83

The patriarchal gender hierarchy is reinforced by popular views on what it constitutes to be a ‘Samoan man’ and notions of masculinity which excuses the behaviour of men and hold women responsible for it.²

Jealousy was also often cited as a trigger for family violence and the prevalence and severity of jealousy in Samoa was clear to the Inquiry. This reflects the strength of the societal expectations that are put on men (usually by other men) that they control their partner. If a wife is seen to be even talking to another man it is commonly perceived to reflect the loss of control the man has over his wife. Jealousy is therefore the instinctive reaction to prevent this type of situation occurring.

Furthermore, the idea that men are natural sexual predators with an insatiable appetite is developed from a young age as girls are told to prevent men and boys being tempted. This inevitably leads to a sense of entitlement where both women and men believe it to be true. It is not.

Victim blaming is a feature of all forms of violence and is so common that it has been accepted across society allowing the continuation and growth of sexual violence by absolving the perpetrator of any responsibility and allowing them to continue operating with impunity.

The social hierarchy between men and women, which facilitates the controlling environment out of which violence arises, is even reinforced in the language that is used.

² Ramona Boodoosingh, PHD on Violence Against Women in Samoa, Inquiry document 82

“The kind of language used regarding women and their position in families fuels harmful attitudes against women. For example, using the word ‘*itupa vaivai*’ or ‘weak gender’ to refer to women, and ‘*itupa malosi*’ or ‘strong gender’ to refer to men.”

Samoa Law Reform Commission, CEDAW Legislative Compliance Review, Inquiry document 89



7.3. *Fa’asamoa* and societal norms

“My question is where in the culture of Fa’asamoa does it say that if a woman does not do what the man wants, he can beat her or verbally abuse her? Where in our culture does it say that?”

Luagalau Foisagaasina Eteuati-Shon, Matai, Counsellor, Former CEO MWCSO, Inquiry public hearings



In theory there is no part of the Fa’asamoa which specifies that violence should be used, either inside or outside the family unit. However, the Inquiry determined that the Fa’asamoa and other cultural norms are contributing to the persistence of family violence through:

- i. Contributing to the patriarchal framework that underpins family violence, often placing women in inferior positions and creating the environment for it to flourish;
- ii. Intensifying the gender hierarchy through language and interpretations of roles such as with *nofotane* as seen in the cases of Lote and Lusua;
- iii. A breakdown over time of the *vā tapuia* (sacred bond / relationship) especially between brother and sister which afforded protection against family violence;
- iv. Viewing family violence as a shameful and private matter, thus bringing down the veil of silence and allowing perpetrators to act without fear of reprisals (and ultimately bringing far greater shame on Samoa as a whole overall);
- v. Ineffective communication, which is often one way only. Linked to gender stereotypes men often simply want women to obey leading to a breakdown of communication over time and consequently an inability to resolve matters peacefully.

7.4. Faith

The overall consensus put to the Inquiry was that Faith rejects the use of violence towards one another, especially within the family context. However, what was less agreed upon is whether there is a total prohibition of all forms of physicality towards one another and the Inquiry heard from a variety of witnesses who believed physical discipline to be sanctioned by the Bible, both within a marriage and towards children.

One commonly held view was that the Bible describes a social hierarchy where women are inferior to men and must ‘submit to your own husbands’, ‘for the husband is the head of the wife’. However, this fails to account for earlier in the very same passage which calls for man and woman to ‘Submit to one another out of reverence for Christ’ and later calling for, ‘Husbands, love your wives, as Christ loved the church’. This selective reading and interpretation reinforces the patriarchal nature of society which then requires violence in order for it to be maintained despite the Bible being quite clear in its rejection of all forms of violence or any conduct by the husband that is harmful of a wife. It requires husbands to act towards wives in the way Christ has and continues to act towards his Church.

In relation to children, many who gave evidence to the Inquiry cited the Bible which warns against ‘sparing the rod’ as justification for the physical disciplining of children. However, throughout the Bible the rod is depicted as a symbol of strength, power and spiritual transformation, and not as a physical

rod. It is clear that two interpretations of this verse are easily possible but when viewed in light of the known consequences of violence towards children, even as a disciplinary measure, the Inquiry found that the Bible does not justify it and is widely mis-used in this regard thus contributing to the prevalence of violence against children.

7.5. Participation in decision making

Empowerment and participation in decision making of groups particularly vulnerable to family violence is critical because it ensures that their interests will be taken into consideration. Absence from the decision making process means that those groups cannot provide their insight into the true nature of violence, nor help deliver justice, decide on strategic priorities nor design programmes aimed at addressing it. The Inquiry found evidence of systemic obstruction of the main groups of victims of family violence from the main decision making bodies in Samoa – the Government, village councils and the churches.

The absence of groups such as women, children, *fa'afafine*, the elderly and SOGI persons in decision making processes is regrettable, constitutes a violation of their human rights and the Fa'asamoa and means that any response will be ineffective thus contributing to the perpetuation of family violence.

8. Prevention Framework

This chapter looks at how prevention of family violence is approached in Samoa today, how successful it is and seeks to identify any areas for improvement.

8.1. Education and awareness

The Inquiry found the current approach to education reinforces many of the beliefs and practices that contribute towards the prevalence of violence, notably gender stereotypes that absolve boys of personal responsibility and lead to people such as Lani growing up believing sexual assault to be the fault of the victim.

The content of the curriculum itself is also not helpful in empowering children to live violence free lives. In order to be able to avoid, resist or report sexual violence children must have a basic level of understanding of what sex is, the notion of consent and what to do if someone touches them in an inappropriate way. The Inquiry found this is not happening in the home and neither is it happening in the schools.

The Inquiry also found that despite the ban on corporal punishment in schools, the practice persists and many students still fear their teachers. Evidence strongly suggests that such methods of discipline do not have the desired effect of improved discipline but actually contribute to increased social problems, anti-social behaviour and other behaviours associated with increased risk of further violence.

In broader society, whilst it was noted that dramatic improvement has been made in terms of awareness of exposure of family violence the situation is not improving. The reasons for the lack of progress are many but can be mainly attributed to the fact that those in power see effectively addressing family violence as breaking the current patriarchal system and ceding power. They therefore stay silent on the matter. The Inquiry found it is not just political powers who remain silent on the issue of family violence but all of those in power within the traditional village governance structures and the churches.

In addition to senior leaders speaking out against family violence it was also found that improvements were required in relation to knowledge of laws and services across society generally. Existing awareness is low and this can have a significant effect on a person's ability to access justice, the support they need for recovery or even for a person to know whether what they do is legal or not.

The media play a key role in the battle against family violence and, until now, have played an overall positive role in bringing the matter to public attention. However, the way family violence is reported and how gender is portrayed still has the potential to cause greater harm and improvements are still required.

8.2. Government Plans, Coordination and Programmes

It is apparent to the Inquiry that despite all of the national, sector and ministry-led plans, very little positive change is being achieved. This is due to a lack of a coordinated approach and failure to fully consider the range of root causes and contributing factors of family violence, especially in relation to governance and access to justice.

Ministry of Women, Community and Social Development (MWCSO) is the main Government agency tasked with addressing family violence yet, by their own admission do not have the necessary legal mandate to respond to violence, receive only 2% of Government budget, are unable to provide the necessary services and cannot monitor and follow-through the programmes they are able to run.

8.3. Village Fono

The role of the Village Fono is to ensure peace and harmony and the development of the village. Time and time again the Inquiry heard matais claim that there are no instances of family violence happening in their village.³

Every village has its own by-laws, rules and regulations to govern the well-being of the community. However, the Inquiry heard of not one by-law relating to the prohibition of family violence and possible consequences. However, during the drafting of this Report, the Village Fono of Asau has approved policies for zero tolerance of violence against women, a positive step that should be commended.⁴ The absence of such laws (with the exception of Asau) is a damning indictment of the general attitude towards family violence by the village councils of Samoa⁵.

Family *matas* are directly responsible for the well-being of the *aiga* and all matters of family violence should therefore go through them. However, the Inquiry found that it is unreasonable to expect them to have the skills required to sensitively deal with such complex situations and that their true role should be in helping bring the matter to the attention of the relevant authorities and services. The fact that it remains the responsibility of the *matas* means that most cases are rarely reported and the abuse can continue unaddressed.

³ Refer to *Village Fono Act 1990*.

⁴ Samoa Observer. "Asau moves to protect women." (5 January 2018). Retrieved from http://www.samoobserver.ws/en/05_01_2018/local/28509/Asau-moves-to-protect-women.htm.

⁵ Samoa Observer. "Asau moves to protect women." (5 January 2018). Retrieved from http://www.samoobserver.ws/en/05_01_2018/local/28509/Asau-moves-to-protect-women.htm.

8.4. Church

The critical role of the Church was agreed upon during the Inquiry consultations, but so too was the feeling that this responsibility is not currently being met in general, despite the few examples of good practice.

In addition to a failure to preach a consistent message of non-violence and gender equality the Inquiry found a number of other practices of the Church which contribute to the continuation of family violence. They are:

- i. Church ministers being more detached from their congregation than before, not conducting house visits regularly and therefore not being able to identify and address family violence;
- ii. Increasing financial pressures on families through encouraging (or not discouraging) competitive giving to the church, which in turn leads to increased violence;
- iii. Providing disingenuous character references to perpetrators of family violence out of a sense of responsibility, thus enhancing the impunity of perpetrators;
- iv. The presence of perpetrators within the church itself, sending an inherent message of acceptance.

8.5. Data collection

In order to devise effective approaches and strategies to combat family violence it is imperative that effective data collection takes place – good planning is reliant on reliable, up to date, accurate and detailed information on the prevalence of family violence, access to services and impact of programmes.

The Inquiry found data collection and monitoring relating to family violence to be sporadic at best and where it did occur mistakes to be commonplace, leading to substantial under-reporting and planning to be based on erroneous findings. The consequence of the lack and quality of data collection means that approaches to family violence are likely to be inadequate and ineffective, allowing it to continue unabated.

9. Protection Framework

9.1. Legislative framework

Since signing the CEDAW, legislative reform has been comprehensive and impressive, demonstrating a will in some quarters for progressive reform and the positive influence being party to the international human rights conventions can have.

The legislative framework around family violence is the one area the Inquiry found to be reasonably robust and this opinion was widely shared. Important legislation such as the Family Safety Act 2013 have substantially strengthened protection against family violence including, for example, through the creation of protection orders to protect victims of violence against further suffering. Nonetheless areas of improvement remain, with some required legislative reform necessary and a focus developed on monitoring the impact of recently introduced legislations. A major concern expressed by many to the Inquiry was that while the passage of legislation has been impressive the implementation has not.

9.2. Services

The provision of services by the Government for victims of family violence is notable only by its total absence.

“While there are some improvements in the area of legislation, challenges remain particularly with persistent tolerance of abuse against women and the lack of relevant services for women.”



SPC, 2015, 'Beijing+20: Review of progress in implementing Beijing Platform for Action in Pacific Island Countries

The Government has denied calls to provide shelter services for victims of violence, nor show a willingness to establish counselling standards and employ qualified counsellors to help victims deal with the trauma of their experiences. This is a violation of Samoa’s human rights obligations which require the provision of a range of services for victims and perpetrators of family violence, including access to shelters, trained counsellors, help lines and effective redress through the legal system.

9.2.1 Police

The police are essential in the fight against family violence in any country yet in Samoa confidence in their ability to effectively intervene is low. According to the FSS 2017 only 18% of victims of family violence who reported the offence chose the police as the institution to report to. When factoring in the number of cases of violence which go unreported **only 2% of all family violence is reported to the police**. This is in stark contrast to 67% who feel that the police should be the primary response agency. This is an unfortunate situation and various reasons exist inhibiting victims from reporting. . The Inquiry found the reasons for this to be:

- i. Lack of meaningful programmes or activities to address family violence;
- ii. Victim blaming and patriarchal attitudes among officers, leading to victims not reporting or being counselled back to abusive relationships;
- iii. Lack of training for officers which could address harmful attitudes and prevent victims being dealt with in a manner which causes their re-victimisation;
- iv. Police not fully utilizing their powers under the law to address violence in general, such as issuing warnings under the Young Offenders Act 2007 to curb anti-social behaviour but prevent youth falling into the formal justice system from where they are unlikely to emerge and where the risk of perpetrating violence is greater.

9.2.2 Health

In the health sector, similar issues of the lack of training and attitudes of health professionals also contribute to perpetuating violence where victims do not feel confident or sometimes re-victimized when seeking help. However, **one of the major concerns regarding the role of the sector is a lack of focus on family violence as a matter of ‘public health’**.

An effective health system should provide protection services for victims of family violence in both the immediate aftermath and in their long term recovery. Well trained front-line healthcare professionals are often best placed to identify family violence and then refer cases to the police and allied health workers who can address the causes and long-term impacts. However, the picture painted to the Inquiry was one of overwhelming shortages, lack of skills and knowledge, harmful attitudes and practices and huge gaps in the range of services required.

The Inquiry was told by those currently working in hospitals and doctors surgeries that there is currently a shortfall of around 230 doctors and 400 nurses and that this has detrimental impact on the level of care that can be afforded to patients and in being able to identify and adequately treat victims of family violence.

The process of screening can be extremely effective in identifying victims of violence and referring them to the necessary justice and allied health care services. Many do not want to report violence because of feelings of shame, fear and acceptance. Intervention when they present at hospital can, if done well, overcome these barriers and make significant inroads into addressing family violence at a societal level. However, the current shortage of doctors and nurses leaves nowhere near enough time for this to happen, even if the hospital staff wanted to and had received the necessary training (which is also not the case) to be able to do so without the risk of causing further harm.

Even if an effective screening process were in place for hospital workers to identify victims of family violence it is of little use if there are no allied health services for them to be referred to.

“There needs to be more trained counsellors in Samoa who understand our language and culture and therapeutic processes and can work with our communities. I have had to take on private clients due to the presentation of suicide ideation with young girls who have been referred through friends because they do not know where else to turn.”



Moana Regina Solomona, clinical therapist, MJCA

9.2.3 Justice system

Within the courts and Ministry of Justice and Courts Administration (**MJCA**) there is the highest concentration of skilled professionals working toward the elimination of family violence within Samoa. Their commitment, passion and dedication demonstrates what is possible when there is the will to effect change, and places the efforts of the rest of Government in a comparatively bad light.

The Family Court, the Family Violence Court, the Youth Court and the Drugs and Alcohol Court are highly significant achievements in themselves and reflect the focus that has been placed on family violence within the legal profession. The Family Court is tasked with dealing with protection orders, divorces, custody and maintenance whilst the Family Violence Court addresses breaches of domestic violence and domestic related criminal matters.

Through advocacy work undertaken by lawyers, judges and other legal professionals a range of improvements to the justice system have been achieved over the past decade to put victims first and recognize their experiences to ensure further harm to them is avoided and justice can be served. These include prohibiting victims from being cross-examined by the defence in cases of family violence, allowing the use of video evidence to prevent the victim and accused⁶ having to see each other and addressing parts of the process which were unfriendly to victims of violence, especially sexual violence⁷.

The Inquiry commends the achievements of the justice system to date in the progress it has made and how a few committed individuals have come together to demonstrate that it is possible to form a

⁶ Evidence Act 2015, sections 89 and 120.

⁷ Evidence Act 2015, section 80.

prevention and protection system which is rooted in culture. Continual improvement is now required to build on these early successes as a number of notable barriers and challenges still exist.

9.3. Village Fono

Two ways in which Village Fonos commonly influence the protection of family violence victims is through general punishments handed out and the role they play in facilitating family violence matters to be reported to the Police – unfortunately both are negative influences.

In deciding on punishments for family violence, in the rare cases where village councils do get involved, the decision is usually monetary based and a fine imposed on the perpetrator and their family. However, these can lead to increased financial pressures upon a family which can serve to act as a trigger for further family violence. Furthermore, victim blaming attitudes have been found to creep in to council decision making, further demonstrating the urgent need for consideration of how village councils can sensitively and effectively play a role in protecting against family violence.

In villages which prohibit direct reporting of matters to the police the situation is therefore not uncommon where a victim of family violence would have to seek approval from the very person who carried out the violent act to be able to approach the law enforcement authorities. Even if the perpetrator does not sit in the Village Fono it is not impossible to imagine reporting to the police being blocked because the perpetrator has close or family ties with those sitting on the council or a victim may not even try to report a matter as they know it will not go any further.

9.4. Church

In comparison to Government, the justice sector and the Village Fono, churches play less of a role in the protection of family violence with their role focusing more on the prevention aspect. However, there are times when victims go to their *faiifeau* (church minister) for support and guidance.

Nearly one in ten female respondents in the FHSS 2000 felt that a *faiifeau* should be the ideal person to turn to if they were experiencing abuse, yet only 1.2% of women that had ever been subjected to violence chose to disclose their abuse in this manner. This indicates a lack of trust in the church as a protection mechanism and may be as a result of the presence of perpetrators within the church itself or preaching which emphasizes the subservience and obedience of women towards their partners.

9.5. Non-Government Organisations

NGOs arise to address a perceived social need, area of suffering or to advocate on behalf of a particular group who may not otherwise have a voice. Often they address gaps left by the Government of the day or work to improve services provided by the State to meet acceptable standards.

Despite the unfortunate lack of an established and effective women's rights NGO in Samoa currently there are many other organisations carrying out admirable work in Samoa in relation to family violence with little funds and little recognition. The most active NGO in Samoa in this field is the Samoa Victim Support Group (SVSG). 95% of respondents to the FSS 2017 noted they were aware of the work of SVSG around family violence compared to only 56% who knew of the work of the police. This fact alone demonstrates that SVSG are filling a gap where the police are failing, which is problematic in itself given the fact that Government should ultimately be responsible for key areas such as this.

Because Government is lacking in the area of family violence, NGOs have no guidance, no structure and are left to fight it out for themselves in terms of space in the sector. There are no standards,

oversight, nor coordination meaning potential overlap of work, unfair competition and inconsistency of message, all of which amount to ineffectiveness. These challenges have also been recognized by the Government itself:

“The need for accountability measures to ensure quality service for all victims of violence is critical to ensuring quality and sustainability of the services by all providers.”

Samoa Family Safety Study 2017, Inquiry document 46



10. Triggers and other Contributing Factors

A trigger starts something that was already primed to happen whilst a cause is the underlying reason it happens. The distinction between the two is not often made but it is crucial to do so as classifying triggers as causes can often shift responsibility away from the perpetrator and contribute to the continuation of violence. Section 11 considers three triggers – alcohol, financial pressures and anger – and the contributing factors of technology and development. It is important to distinguish triggers from causes / contributing factors to avoid allowing impunity for perpetrators.

10.1. Alcohol

There are two considerations in relation to alcohol and the role it plays in family violence. The first is how it is wrongly attributed as a root cause, thereby allowing perpetrators to avoid responsibility and instead ‘blame it on the booze’ and the second is the extent to which it is a trigger of family violence. Alcohol (or drugs) was found to be present among 24% of perpetrators of violence against women and girls for all cases between 2007 – 2014, demonstrating that family violence happens far more frequently when alcohol is not present than when it is.⁸

The notion that alcohol causes family violence is wrong, as the Inquiry has found. But the assertion that it is a trigger for family violence is also an over-simplification. After all, many people drink and never lay a finger on their family members or speak to them in a way which constitutes verbal abuse or emotional **violence**. Upon closer inspection it becomes obvious that it is alcohol abuse, not alcohol itself which triggers family violence.

These findings can certainly be applied to the Samoan context as one need only look at police statistics which show family violence prevalence by day of the week to see that Sundays, when the sale of alcohol is banned, is significantly lower than any other day.

10.2. Financial pressures

A number of studies in Samoa show that families with low incomes are more vulnerable to family violence and money was cited as a contributing factor by 10% of the SFSS 2017 respondents who had ever been abused. This does indeed suggest there is a correlation between income and family violence and that money worries may indeed be a trigger.

Family violence is worsened in Samoa by cultural practices emanating from cultural and church obligations.

⁸ “Exploring violence against women and girls in Samoa.” Fallen Lizard Films (an analysis of data provided by MOP Policy & Planning Division and the Domestic Violence Unit). Document 117 Inquiry anthology.

“Financial pressures associated with church contributions and family obligations are unique underlying causes of family violence in Samoa.”



Justice Tafa'imalo Leilani Tuala-Warren, reported in Inquiry document 82

Financial pressures also leads to a form of violence in itself where economic abuse is used by a person to exert control and power over another within their family. Therefore it is a trigger in the same way that alcohol is and by addressing the issue less family violence will be triggered, bringing the overall prevalence down. It has been found that IPV is 1.3 times more likely among families who experience food insecurity compared to families who enjoy food security. By addressing the causes of financial pressures this disparity can be eliminated and family violence reduced.

10.3. Anger management and Jealousy

The SFHSS 2000 found that 45% of perpetrators of IPV felt if they could control their anger it would prevent them from hitting their wife or girlfriend. This is not to say that anger is a cause of family violence in itself but that unresolved angry feelings can trigger violence.

Anger can arise as a result of many different situations, and often depends largely on a person's ability to manage that anger and their own personal characteristics. Anger can arise out of frustration and pent up emotions. This is especially relevant to Samoa where the Fa'asamoa dictates a strict hierarchy of communication that often makes it hard for people to express themselves.

Whilst it is a myth that anger causes family violence, there are instead two ways in which it plays a role. The first is that some abusers use anger as an intimidation mechanism to scare the abused into submission. The second situation is when anger arises and triggers a violent episode. They are two very different situations and only by addressing anger management issues and anger as a trigger can the other use of anger as a control mechanism be isolated, identified and addressed.

In a similar vein to anger, jealousy was often mentioned throughout the Inquiry as playing a role in family violence. It is not a cause but a trigger of family violence. Jealousy does trigger a considerable number of violent episodes in Samoa and therefore contribute to the overall prevalence. By understanding and addressing the underlying dynamics of jealousy, namely gender stereotypes, sexual entitlement and notions of masculinity the prevalence of family violence can be reduced.

10.4. Development and technology

The way the world works and interacts is changing at a pace quicker than ever before and the consequences of those changes are not always foreseen or positive. The way in which Samoan society interacts is no longer the same as it once was in some aspects and these changes were identified as playing a role in the prevalence of family violence, notably:

- i. The introduction of a cash economy without ensuring widespread financial literacy, and increased cultural and church obligations, all leading to increased financial pressures, an identified trigger of family violence;
- ii. Changing housing patterns – a decrease in shared living, more private houses and spaced further apart meaning neighbours are less likely to identify and tackle ongoing family violence;

- iii. The disempowerment of men and women through the introduction of a Westminster style government, where the sudden loss of responsibility and social standing can turn to frustration and anger and manifest itself in violence;
- iv. The advent of technology, notably the usage of electronics among children leading to increased anxiety and other violence risk factors and the wide availability of pornography, which when coupled with a lack of sexual education can create unhealthy sexual expectations and actions.

11. The cycle of violence

Violence is a self-sustaining phenomenon that can occur at both an individual and societal level. Violence is a cause of violence in itself and must be considered as such in order to design an effective response and so people can recognize their own position within the cycle of inter-generational violence.

“The behaviours of the men coming through our programmes regarding violence have been learned behaviours that they have been subjected to themselves. They are using violence as a way to control their families and hide their insecurities.”

Moana Regina Solomona, clinical therapist, MJCA



“Evidence points to a strong correlation between violence against children and violence against women. Children who grow up in violent households are more likely to be victims of child abuse themselves; girls are more likely to grow up and become victims of sexual and domestic violence as adults, and boys are more likely to grow up and perpetrate violence in their relationships.”

Report on Pacific Conference on Ending Violence Against Children, UNICEF, 2015

In a Pacific regional study, the United Nations found that men who experienced childhood emotional abuse or neglect were 1.53 times more likely to perpetrate physical or sexual violence toward their intimate partner in their lifetime. Those who had witnessed the abuse of their mother were 1.48 times more likely to. By making violence more likely in a variety of ways, among each new generation it is inevitable that prevalence will grow.

What this all highlights is how any form of violence can create a domino effect of further violence. Violence does not happen in isolation and the consequences are often inter-generational. The good news, however, is that it is possible to break the cycle of violence. The way to do that is to reject all forms of violence at a personal level and create a national zero tolerance approach.





PART IV: ANALYSIS AND SOLUTIONS

The following proposed solutions have been suggested by those who came before the Inquiry – the very people who understand Samoa and the nature of family violence in this country. It is a raft of solutions founded in the culture and religion of Samoa and supported by the human rights framework. In adopting the recommendations people may have to change their existing practices and attitudes, but in doing so will be creating a stronger Samoa, a stronger Fa’asamoa and a stronger Faith to carry Samoa into the future.

12. Establishing the Foundation for Change – THE SAMOA OFFICE FOR FAMILY VIOLENCE PREVENTION

The broad picture across Samoa is an epidemic of violence driven by a range of inter-connected causes and triggers, with an equally extensive range of consequences for victims and perpetrators. One of the most common observations to the Inquiry was that the sheer scale of family violence, the many causes and triggers and the subsequent need for many people to play a big role in addressing it meant that if there was no overall coordinating body then any efforts would be destined to fail as they could not possibly address the whole issue effectively. The calls for such an approach were consistent across NGOs, advocates and Government ministries themselves.

12.1. The Office for Family Violence Prevention

It is widely acknowledged that without a centralized coordinated approach, strategies and activities across Government sectors and among NGOs and other service providers will not be able to adequately address a problem with such widespread interlinked root causes as family violence. Comprehensive national coverage of awareness, education and services has to be achieved. In Samoa far too many services are only available to those within the Apia area. Family violence occurs in every village across all four inhabited islands. Only a nationally coordinated initiative can ensure comprehensive coverage and access to all.

The benefits of a national initiative to address family violence are compelling but what would that look like in practice, and what would work within the context of Samoa if the political will was there? A radical new approach may be required but with that brings the risk it may not be suitable for the Samoan context, unless it has been tried elsewhere first.

“The Disaster Management Office (DMO model) has worked. Why cannot we use it for family violence? It’s a locally driven response.”

Leautuliilagi Vanessa Barlow-Schuster, Inquiry public hearings



The DMO model is proven to be successful in Samoa in addressing a comparable issue to family violence and it is therefore relatively straight forward and logical to apply the same approach to the issue at hand. A potential platform with a very high chance of success in addressing family violence could therefore be created through the following approach:

- i. Establishing of a Family Violence Prevention Act: with a purpose similar to ‘the prevention of family violence and protection of victims, through effective risk reduction, prevention and protection services, coordination across sectors and agencies, data collection and evaluation & monitoring’.
- ii. Creating a National Family Violence Prevention Council: consisting of Cabinet members and others such as traditional and community leaders, religious leaders, private sector and NGO representatives as Cabinet may decide (ensuring gender equality on the Council).¹
- iii. Stop Violence Taskforce: consisting of relevant ministry chief executive officers responsible for approving Family Violence Prevention Office plans. This taskforce is already in existence so would be building upon existing structures.
- iv. Samoa Office for Family Violence Prevention: established within MWCSO this would have a permanent staffing budgetary allocation, headed by an ACEO, reporting to the CEO. The Office would be responsible for the overall implementation of the National Family Safety Strategy, coordinating agency responses and activities, implement and participate in activities, facilitating training for key actors, awareness raising, data collection and monitoring and evaluation.
- v. National Family Violence Prevention Strategy: Provided for by the Family Violence Prevention Act and will incorporate all commitments under the existing sector plans, the SDGs, Inquiry recommendations and drafted in consultation with key stakeholders including survivors of family violence from all demographics.
- vi. National Family Violence Prevention Communication Strategy: Aimed at improving understanding of the nature, causes and triggers of family violence, nationally and among key stakeholders. Based on Inquiry findings and myths and developed in collaboration with victims, perpetrators and young people.

The inter-connected nature of family violence and the cycle of violence mean that all forms of violence lead to more elsewhere in society at a later stage. If violence is acceptable in one context it will permeate into other areas of society, just as it has done over time in Samoa. The only solution is for a complete rejection of family violence and the key message of the Office of Family Violence Prevention should be one of zero tolerance.

12.2. ‘Violence Free Village Programme’

The majority of the Samoan population lives in rural areas under traditional village systems governed by Village Fonos and this represents an excellent opportunity to develop a program that utilizes this system and capitalizes on the competitive nature apparent in Samoan society which the Inquiry has found to be a contributing factor to family violence through increased financial pressures.

The savings that effectively addressing family violence will bring are substantial and mean that considerable funds can be invested into prevention programmes confident in the knowledge that they will benefit the economy in the long-term.

To bridge this transition, and to incentivize Village Fonos to quickly implement the full range of Inquiry recommendations it is suggested that a ‘Violence Free Village Program’ (VFVP) is initiated by the

¹ The **Council** will be responsible for giving advice and decision making. The **Taskforce** will mainly be responsible for strengthening of partnership and coordination of activities.

Government whereby a scorecard system is implemented to assess each village's compliance with Family Violence Prevention guidelines based on the Inquiry recommendations.

13. Attitudes and beliefs

It is evident that there is disconnect between the majority view to treat family violence as a priority issue and in being able to effectively address it. This is predominantly due to the attitudes and beliefs outlined in **Part III** which lead to family violence and its continuation. Therefore, in order to turn the tide against the increase of violence widespread attitudinal changes need to be achieved. This will not happen instantly and will require, time, patience, good planning and monitoring and evaluation. The recommendations in this, and the following chapters, are mainly intended to be tasked to the new Samoa Office for Family Violence Prevention (unless otherwise stated) but can be pursued in the interim period during its establishment by MWCSO and other relevant Government agencies.

13.1. Children

The Inquiry has found that all physical and harsh verbal punishment of children amounts to violence because of the negative consequences it can have, which also increase the risk of further violence. Evidence also shows that a ban on corporal punishment is not only possible but that the programmes required for it to be effective are often based on fundamental Fa'asamoa principles and the costs are easily covered by the savings they create. Furthermore, all of the arguments for the continued use of corporal punishment have been found to be false or without substance. The Inquiry was left with only one course of action to recommend. Whilst it may be daunting, once implemented will play a pivotal role in reducing family violence, have a range of other positive impacts on society and strengthen application of the Fa'asamoa, protection of human rights and adherence to the word of God.

In place of corporal punishment, positive parenting should instead be encouraged and taught. A central feature of this approach is effective communication, which the Inquiry found to have diminished between parents and children. To re-establish this crucial preventive mechanism it is necessary to develop new language around family violence to allow those conversations to take place, teach effective communication and set aside time within the family for it to occur on a regular basis. The widespread acceptance of a patriarchal society in Samoa has been found to underpin a vast amount of family violence perpetrated and that the subservience of women is ingrained in children from birth. In order to effectively address family violence it is therefore necessary to prevent such a hierarchy being instilled in the way children view the world from birth. The primary means of achieving this is simply through education and awareness raising. Families need to be educated on the harmful effects of promoting gender stereotypes and fully understand the link between the way they raise their children, the subservience of women, sexual entitlement of men and the pervasiveness of all forms of violence.

Gender equality means just that, ensuring children have the same opportunities and rules regardless of their gender identity. In practice this means both being as responsible as one another for chores, both being able to play and explore as much as the other and both given the same amount of personal responsibility for their own actions.

Gender equality is inherent in the true Fa'asamoa – the mutual protection of the community is not possible if it favours one gender over another. As a result, raising children in a gender equal manner, and not favouring one over another, is simply going back to Samoa's cultural roots and the Fa'asamoa should be central to teaching positive parenting in this regard. This approach can be further enhanced by considering the CRC framework to ensure equality for all children and minimum standards to ensure development that is in their best interests.

13.2. Gender roles

The patriarchal nature of Samoa is at the heart of almost all family violence. It creates gender inequality which in turn requires family violence as a controlling mechanism to be maintained. Addressing patriarchy in all forms and fostering a society that is built on equality between men and women is therefore essential for combatting family violence.

The Inquiry has seen the extensive consequences of the current notion of masculinity where men expect to be able to do as they please, expect sexual gratification, exercise violence to maintain superiority, whilst suppress all of their emotions, are only able to respond in physical ways because they simply know of no other, and are unable to communicate effectively with their wives, children or extended family. Men do not benefit from this set up, neither do women, children, parents, grandparents, friends or society at large. Patriarchy leads to all of the consequences outlined in Part II of this report yet confers no benefits. Breaking down this system is to the benefit of each and every person in Samoa and to society as a whole.

There are a number of broad approaches which must be incorporated into the process to ensure that the factors which support patriarchy in Samoa are adequately addressed:

- Address all harmful and prejudiced attitudes which further gender inequality identified by the Inquiry and fully implement the relevant recommendations;
- Promote shared family responsibility for work in the home;
- Engage, educate, encourage and support men and boys to take responsibility for their behaviour, to ensure that men and adolescent boys take responsibility for their sexual and reproductive behaviour;
- Invest in the development and implementation of education, programmes and policies to increase understanding of the harmful effects of violence and how it undermines the Fa'asamoa, Faith and violates individual human rights;
- Promote respectful relationships and effective communication between partners and parents and their children;
- Political, traditional and religious leaders to publicly state their commitment to addressing patriarchy and the attitudes and practices that support it and specifically reject the idea that victims of family violence are in any way to blame for their experiences.

13.3. Fa'asamoa and societal norms

The Inquiry found that the Fa'asamoa is simultaneously being used to justify family violence and at the same time failing to provide the protection it once did. This situation needs to be reversed – the justification of family violence using Fa'asamoa eradicated and the protection mechanisms re-established. Neither of these goals are easy nor will they happen overnight, but they are possible.

The Inquiry found that there has been a breakdown of the *vā tapuia* and especially the *feagaiga*. If these relationships can once again be strengthened it will provide some of the protection that is required to prevent family violence happening in the first place.

The common misapplications of the Fa'asamoa and the consequences need to be thoroughly understood generally among society and a renewed understanding of the original meanings, especially in relation to:

- The role of the male within the household as *pule*: Rather than being the ultimate authority, who inevitably has to use violence to demand compliance from his inferiors, this needs to be understood as a guiding role for the overall well-being and development of the family unit that cannot be achieved without the input of everyone.

- The role of *nofotane*: Greater emphasis on woman as *maupaolo* rather than *nofotane* to ensure their protection and the overall well-being of the family unit. Furthermore, recognition of the *feagaiga* between men and women where mutual respect is upheld by both parties.
- The application of *fa'aaloalo* (mutual respect): A narrow application of *fa'aaloalo* can lead to family violence going unreported as victims feel unable to raise matters with their elders. An understanding of how family violence can be discussed whilst still respecting the *fa'aaloalo* needs to be developed.
- Family shame: Violence is happening in every village in Samoa, in every extended family. The time for not talking about it because it is perceived to bring shame is long past. Shame has been brought onto the entire society and can no longer be hidden by this veil of silence. Family *matais* have to start being proactive in bringing perpetrators of family violence to justice and actively oppose any retribution for those who seek to expose such acts. This is another issue where leadership is required to direct the nation.

13.4. Faith

In a similar vein to the Fa'asamoa, the Bible is wrongly used and interpreted in certain quarters to justify the gender hierarchy underlying family violence. By acknowledging that past interpretations of the Bible have often been prejudiced to serve the interests of those already in power, it allows fresh light to be cast on religious teachings and the mutually reinforcing relationship between religion and the Fa'asamoa be rediscovered.

There is therefore a great need in Samoa for a public theology on family violence to be developed that seeks to remove gender bias from Biblical interpretation and explore how those teachings support and relate to the Fa'asamoa. An excellent example of this, which also addresses one of the issues in the previous chapter is in relation to *fa'aaloalo*:

“Despite the hierarchies implicit in Samoan culture, *fa'aaloalo* can also create equality in relationships if it is used in its positive meaning, which is ‘*alo maii alo atu*’, or ‘reciprocal respect’. *Fa'aaloalo* is biblical in its very nature, as it requires one to treat their other as one would like to be treated. In relation to domestic violence, *fa'aaloalo* should be manifested in one’s respect for the sacredness of the space between persons, just as that respect also characterizes one’s relationship with God. This respect must be encouraged in the family, village, church, civil society and other public places in Samoan society.”



Mercy Ah Siu-Maliko, 'A Public Theology Response to Domestic Violence in Samoa', Inquiry document 39

13.5. Participation in decision making

Not only is the exclusion of women from decision making in the three most influential bodies in Samoa discriminatory and a violation of human rights, it is also contrary to the Fa'asamoa (again highlighting the mutual relationship between culture and human rights).

The Fa'asamoa principle of *soalaupule* (consensual dialogue) is founded on the long held understanding that the more people involved in decision making the wiser the outcome will be for the community. As the Samoan proverb says, ‘*o le tele o sulu e maua ai figota e tele*’ (the more lit fire we have, the more fish we are likely to catch).



The increased participation of women in the key decision making bodies will also start to mitigate the lack of reporting of family violence that is caused by having perpetrators sitting in such bodies and start to break down the culture of impunity that currently prevails.

It is not just women who are systematically obstructed from decision making processes, rather it is solely kept the preserve of men at the expense of all other groups. This has the same impact on other groups as it does on women – it removes their interests from the process, meaning that decisions will not take into account their needs or experiences and in the context of family violence afford no protection or prevention. At every stage of considering greater female participation in the Village Fono, Parliament and Churches, consideration should also be given to the direct inclusion (or views, at a minimum) of other interest groups including, but not limited to:

- Children;
- Persons with disabilities;
- *Fa'afafine*;
- Elderly;
- SOGI persons.

14. Prevention Framework

14.1. Education and awareness

The Inquiry found that a general absence of sexual education and healthy relationships education in schools is a contributing factor to family violence in Samoa. It has been globally recognized that the potential effects of comprehensive education and life skills for young children include:²

- Reductions in physical and sexual IPV victimization and perpetration;
- Empowers boys and girls to recognize and protect themselves against intimate partner violence;
- Reduction in aggressive and violent behaviours;
- Reduction in drug and excessive alcohol use;
- Reduction in bullying behaviours.

The importance of teaching children how to approach life in a non-violent manner and provide them with the tools to identify and address violent behaviour towards them cannot therefore be understated. The above shows that the right education can directly prevent violence and also reduce the behaviours which increase the risk of violence. The need for a comprehensive sexual and healthy relationships education curriculum for Samoa was commonly identified throughout the Inquiry.

Whilst not strictly falling within the Terms of Reference (**ToR**) of the Inquiry, corporal punishment in schools nonetheless has the potential to impact on the prevalence of family violence more generally. The inter-connected nature of violence, and the critical role teachers play in the development of the young, means that allowing corporal punishment in schools substantially increases the risk of a variety of negative societal outcomes ranging from increased family violence, to increased murder rates, decreased health, increased prison population and more.

It is tempting to revert to corporal punishment when faced with seemingly growing misbehavior among children but that is to misunderstand the impact of such actions. Rather than preventing

² UNFPA, UNICEF. (2015). Harmful Connections: Examining the Relationship between violence against women and violence against children in the South Pacific. Document 54 Inquiry anthology.

further bad behaviour it increases prevalence of that type of behaviour along with other negative consequences, including increased family violence. Therefore, it is essential that Samoa does not regress in this area as it would be a substantial step backwards in addressing the prevalence of family violence. Furthermore, it appears there is still work to do in ensuring the current prohibition is fully implemented.

The education of children is essential in bringing up a new generation which is founded on principles of non-violence, rather than the current situation where violence is the answer and the norm. However, wider public awareness is also important and there is an identified need to further raise awareness of key legislation and services. One of the barriers to implementation is that there appears to be no-one currently responsible for educating people, especially in the rural areas, about developments. Therefore, victims do not know about protection orders or how to obtain them, nor of the services which may be on offer to support them.

When it comes to the media there are two approaches to minimizing the risk of family violence arising from the nature of what people can see and read. The first is through fostering a national understanding of positive relationships so that the influence of negative media (sexual violence in movies and the like) is negated. The second is education for the media in Samoa and standard setting which encourages the promotion of gender equality and raises awareness among broadcasters, advertisers and the like of the harmful consequences of promoting violence and stereotypical gender roles.

14.2. Government plans, coordination and programmes

The Inquiry has already identified the need for a National Family Violence Prevention Strategy, bringing all of the commitments of the various existing sector and ministerial plans under one roof, developing an effective Monitoring and Evaluation (**M&E**) framework and using this as the mandate for the work of the Samoa Family Violence Prevention Office.

The creation of such an office will be a step in the right direction, especially in being able to coordinate key actors in the field of family violence. However, there is also a case to be made for a Family Violence Crisis Centre, which has in-house counsellors and can refer clients to the full range of services available in Samoa. Such a Centre could and should have a mobile unit to provide coverage around all of the inhabited islands of Samoa and could provide services such as day care and child care, education support and facilitate forums for survivors.

The current lack of support for tackling family violence is nowhere more obvious than in the programmes provided by Government ministries, limited by the wholly inadequate budgetary allocation that is granted. This gender inequality is exacerbated by the Government's continual refusal to award equal pay to men and women's village representatives, sending a clear message (intentionally or otherwise) that men are indeed superior to women. It is an area which needs to be addressed urgently.

14.3. Village Fono

The Report will consider the role of the Village Fono in relation to the protection of victims of violence below but there is also a critical role to be played in the early prevention. The Village Fono is expressly responsible for 'promoting social cohesion and harmony' yet the Inquiry found little to no evidence of any village councils proactively preventing family violence.

In order to be able to start to meet its responsibility in relation to social cohesion and harmony the Village Fono needs to establish a credible mechanism for preventing and protecting against family

violence. A common suggestion made to the Inquiry was the establishment of Village Family Safety Committees (**VFSC**) within each jurisdiction, responsible for all matters relating to family violence prevention and protection.

The danger to be avoided in establishing such a committee is that it consists only of male representatives and is used as yet another mechanism for marginalizing the issue. To be truly effective such a committee would **have** to include village church ministers, Sui Tamaitai and Sui o Nuu, senior members of the Village Fono and of the women's committee. The role of the Fonos / VFSCs should be to educate their residents on the causes and effects of family violence, raise awareness of services and legislation and play a direct role in the protection of individuals.

The criteria by which *matai* are appointed and removed should also be revisited to incorporate principles of non-violence. One of the biggest barriers to addressing family violence is the prevalence of perpetrators with *matai* titles. In the light of the findings of the Inquiry it would be beneficial to amend the legal provisions around the appointment and removal of *matais*:³

- first to say a *matai* must be prepared to serve in a non-violent manner, in addition to according to Samoan custom and usage;
- second to include committing and being found guilty of a serious violent offence (with a legal maximum punishment of 5 years or more) as an additional reason for removal of a *matai* title.

Only once *matais* are able to lead by example will they be able to fulfil their role of promoting social harmony and cohesion and reducing the prevalence of family violence.

14.4. Church

There are a number of different ways in which the church could and should reverse their contribution to family violence and become one of the key actors in reducing the prevalence across Samoa. The most critical of which is the involvement of *faifeaus* in the VFSC as outlined in the chapter immediately above. Diligently undertaking that role would enable them to become a pillar of that institution and play an important role in all of the work of the Committee, both preventive and protective against family violence. In addition to this broad new role there are a number of specific actions that should be taken by the church in order to play a substantive role in preventing family violence:

- Marriage courses: facilitate marriage courses for all engaged couples to teach healthy intimate partner relationships and establish a relationship with the church that would enable regular visitations;
- Limitations on church obligations: the church to take the lead in curbing spiraling competitive church giving;
- Advocacy: the leadership of the church to start effectively leading calls to address family violence and leading by example through encouraging greater female participation within the church and adopting a zero tolerance to violence committed by those within the church.

14.5. Data collection

The few prevention and protection mechanisms, programmes and policies that do currently exist are undermined by a lack of reliable data, monitoring and evaluation. Decision making is not currently based on realities and the true scale of the problem is still unknown. The solutions put forward in this report are therefore all pre-supposed by the introduction of a strong monitoring and evaluation

³ See *Lands and Titles Act 1981*.

element so that progress over time can be tracked and risk factors and consequences of family violence better understood.

15. Protection Framework

15.1. Legislative framework

Whilst there has undoubtedly been some legislative successes elsewhere there has been slow implementation, and there are still improvements to be made. Notwithstanding the lack of implementation there are areas of legislative reform still required, and the development of a monitoring and evaluation framework to measure impact of key laws.

15.2. Services

It is the responsibility of the State to provide victims of violence against women 'with services such as telephone hotlines, health care, counselling centres, legal assistance, shelters, restraining orders and financial aid' yet in Samoa only protection orders are currently provided and even they are not universally accessible due to lack of awareness or affordability of legal services.

The Government has two options in this regard – it can choose to support the privatization of shelter services by providing financial support through an open tender process to meet the need and monitoring standards of service, or it can choose to provide the services directly. Either way, a full independent needs assessment is first required to determine the level of services that are needed across Samoa and to ensure universal coverage, not just for those who live close to Apia.

Furthermore, there are a range of additional services which the Government is urgently required to address. The most urgent, which has implications across many different aspects of family violence, is the establishment of counselling standards, a professional qualification for counsellors and the re-establishment of the association for counsellors. The Inquiry has heard from a variety of sources the inherent dangers of non-qualified counsellors providing care to family violence survivors. The risk of further harm is significant and cannot be tolerated. The provision of counsellors must be assured to certified standards and it must also be universally available and at a capacity to respond immediately to the needs of victims.

15.2.1 Police

It is imperative that police officers have stronger leadership in addressing family violence especially as they are one of the primary responders. There needs to be wider understanding of family violence within the police service, zero tolerance and for this to be communicated from the top down.

Furthermore, the provision of relevant and regular training which encourages officers to examine the consequences of harmful beliefs in relation to gender and family violence and adopt alternative mindsets is necessary. It is also of great importance for every police outpost to have the capacity to effectively deal with family violence, given the majority of the population live in rural areas. The establishment of a family violence unit within each outpost would achieve this and send a strong message on how seriously the police are approaching the matter.

The final piece of the police jigsaw in being able to effectively prevent and protect against family violence is through increased community policing. The Inquiry found that there has been an

underinvestment in police recruits and also a perception that community policing has been lost in recent years. The police need to be more visible in communities and adopt an approach that once again is based on *talanoa* (communication). Once the police have the respect of the community victims will feel confident in being able to report the crimes against them and the police will enjoy a more fruitful and productive dialogue in return.

15.2.2 Health

As part of the Government's commitment to address family violence it is necessary for it to become **accepted as a public health issue** and that it be incorporated into all planning for the National Health Services (**NHS**) / Ministry of Health (**MoH**) and the services provided. This would provide the strategic and budgetary commitment required to establish a screening process for family violence, set up allied health services and ensure the necessary training for all frontline health staff.

Given the potential effectiveness of healthcare interventions it is logical to introduce a formal screening process, the presence of which has been demonstrated to significantly increase identification of violence in patients. One of the pre-requisites for having a patient-centred screening process, and for dealing with victims of family violence in general, is the provision of comprehensive and regular training on how to deal with victims and perpetrators.

A full assessment of the needs related to an allied health services must be conducted and a plan developed to establish such a system, which will not only meet the needs of victims but improve the economic development of Samoa and provide additional jobs in the process.

From the outset, and especially once an allied health system has been established, it is absolutely necessary for a formal referral system to be in place at which the healthcare system is at the heart, alongside the police, as one of the agencies victims are most likely to come into contact with.

15.2.3 Justice system

The justice sector has been found by the Inquiry to be in relatively good shape in relation to family violence and containing a significant number of legal professionals with excellent understanding of the nature, causes and impacts of family violence and a commitment to addressing it which is a significant asset to Samoa. In order to improve yet further a number of issues have been identified; (1) improving access to justice through the establishment of the Community Law Centre; (2) establishment of standards and monitoring of partner agencies; (3) review the use of mediation in family violence cases; (4) address the value of using ifoga and character references in the judicial process.

15.3. Village Fono

Family violence is first and foremost a criminal matter and must be dealt with by the formal criminal justice system so the role of the Village Fono must be to support that process wherever possible. That being said, there is still an active role for the Village Fono to take in matters of family violence if they so choose, and in doing so carefully can play an important role in enhancing the social cohesion and harmony of their village, as per their mandate, by helping to break the cycle of violence within families. The first role that the Village Fono must develop is facilitating the reporting of family matters to the police and in many cases preventing them from being reported. Prevention of reporting happens in a number of ways and many people are reluctant to involve the Village Fono as the punishments they impose are often a significant financial burden.

The Village Fono also have an important role to play in cases which are part of the formal criminal justice system, whether it has been reported through them or not. The enforcement of protection orders is a difficult job for the police in terms of resources and logistics. The Village Fono is naturally well-placed to support the enforcement of such injunctions.

Whilst it is of primary importance to ensure that family violence matters are dealt with through the formal criminal justice system it is also possible that the Village Fono / VFSC can play a direct role in cases of family violence, both in terms of immediate protection for the victim and in adjudicating and imposing consequences for the perpetrator.

It must be reiterated that any such direct role must only be undertaken by a VFSC, at least in the interim, given the high prevalence of *matai* perpetrators and the issues that gives rise to. Once such a Committee is established, one role they can easily provide is in the provision of shelter for victims of violence in their hour of need once a matter has been reported to them. For many victims of violence, finding a safe haven for themselves (and their children) is essential for avoiding further abuse. This is a well-known function in Samoan society and is embodied in the Fa'asamoa principle of *malupuipua* (being protected).

The second direct role the VFSC can play is in adjudicating in matters of family violence where the decision is then ratified by the Village Fono. Whilst the formal criminal justice system focuses solely on the individual perpetrator the village system has the benefit of being able to consider the wider community in coming to a punishment and resolution. However, the Commissioners encourage the greater use of community based sentences to avoid placing greater financial pressures on families and increasing the risk of further violence. Furthermore, the ongoing use of banishment in cases of family violence should be carefully given how it is shown to allow the abuse to continue unchecked once a family relocates.

15.4. Church

National guidelines should be developed to outline how church ministers can play a positive role in the protection against family violence, and should focus on three areas:

- i. Training for all ministers on the nature, causes and impacts of family violence in Samoa;
- ii. Laws and services available to victims, for referral purposes;
- iii. Provision of emergency shelter where victims are at risk of further harm.

The biggest area of concern with the current approach of many church ministers is that victims of family violence are often counselled into returning to an abusive relationship and being placed at risk of further harm. Guidelines for church ministers should expressly forbid this practice and facilitate training for ministers to educate them on the nature, causes and impacts of family violence in Samoa to provide them with the broad understanding that is required to respond appropriately to victims.

15.5. Non-Government Organisations

The NGO sector shoulders much of the responsibility which Government should bear and this must be rectified either through direct Government intervention, financial and other support of existing services or a combination of the two. The establishment of the Samoa Family Violence Prevention Office and the Family Violence Prevention Strategy will provide the framework for this to happen, and must ensure effective inter-agency coordination, sector training, improved and standardized data collection and enforcement and monitoring of minimum standards.

16. Triggers

16.1. Alcohol

The Samoa Law Reform Commission completed a study in 2016 on the alcohol regulatory framework and made a series of wide-ranging recommendations, which this Inquiry supports and urges the Government to implement without further delay. Key proposals include:

- Increased price of cheap alcohol;
- Simplified enforcement powers, including the ability to issue on the spot fines, including for the sale of alcohol to visibly drunk people;
- Monitoring of overseas minimum pricing schemes and implement in Samoa if effective (legislation already exists to facilitate this).

This is a further area where Village Fonos can play an active role through the introduction of by-laws targeting alcohol consumption and imposing punishments for alcohol abuse (which are community based, rather than financial in nature, in order to avoid an increase in the risk of violence arising from additional financial pressures).

Outside of the regulatory framework, services for people suffering from alcohol addiction and those prone to alcohol abuse should be widely available.

16.2. Financial pressures

Financial empowerment not only reduces the prevalence of violence but it helps to break the cycle of violence as well. The Inquiry found two areas where undue financial pressures are being created by traditional and religious practices – *fa'alavelave* and church contributions.

It is therefore within the power of the Village Fonos and the Church to directly reduce the risk of family violence caused by increased financial pressures by addressing these issues, of which there has been plenty of debate already but precious little action.

The financial empowerment of families is a lofty ambition that will not be achieved overnight or through a singular approach. It will require multiple efforts on multiple fronts, most notably the Village Fono in developing and enforcing limitations and central Government in conducting effective programmes that are undertaken across the nation.

16.3. Anger management and Jealousy

To effectively address the role anger plays in the prevalence of family violence, a comprehensive understanding of the two different roles it plays must first be developed and widely understood.

Armed with that knowledge an assessment can take place as to whether a person has anger management issues or is using anger as a tool to control their victim. If a person does have anger management issues then they should be referred to Government evaluated and monitored programmes for rehabilitation.

The role of jealousy is linked directly into the notions of masculinity identified earlier in this Report and must be dealt with in the process of dismantling these roles and educating children and adults on

the consequences of patriarchy. The role of jealousy should also be dealt with in all anger management programmes as there is often a direct link between the two.

16.4. Technology and development

There are certain developments that will never be reversed. The evolution of housing patterns is one of those as it is highly unlikely that people will choose to return to less private dwellings. The loss of the prevention mechanism that this causes can therefore only be addressed by improving and establishing other mechanisms. The Inquiry has made several recommendations for ways in which the Village can establish protection mechanisms and break down existing barriers to reporting matters of family violence.

These recommendations also offer a potential solution to the possible disempowerment of both men and women in rural areas in recent periods of Samoa's development. The Inquiry has identified a number of ways in which the men and women, through the Village Fono/ VFSC can play a pivotal role in the social cohesion and harmony of their community. This is an opportunity to re-empower traditional structures within the context of a developed Samoa, thereby strengthening the Fa'asamoa and playing a role in addressing family violence at the same time.

The proliferation of technology continues at an unprecedented pace and even globally the effects are only just starting to be understood, but research is pointing to prolonged use of technology increasing family violence risk behaviours and characteristics, such as decreased self-esteem and anxiety among young people. Once again, it is not possible to turn the clock back to a more innocent age where children did not have widespread access to these technologies. Instead, as with many area of family violence, education is the key. Parents need to be aware of the consequences of excessive use of technology by their children and what constitutes 'excessive'. Furthermore, children should be educated in the risks of spending too much time using electronic equipment and alternatives explored.

LIST OF RECOMMENDATIONS



RECOMMENDATION 1: By legislation, establish a Family Violence Prevention Office, National Family Violence Prevention Strategy and Communications Strategy, Family Violence Prevention Council and Taskforce to provide the foundation for a coordinated inter-agency response to family violence.

RECOMMENDATION 2: Parliament should expeditiously give proper and urgent attention (and implementation) to recommendations relating specifically to violence against women, girls, children and persons with disability contained in the 2015 and 2016 State of Human Rights Reports provided by the Office.

RECOMMENDATION 3: Undertake a study to document the prevalence of violence and raise awareness of other human rights issues faced by fa'afafine, SOGISC persons and the elderly.

RECOMMENDATION 4: Establish a 'Violence Free Village Programme' which provides financial incentives for the implementation of Family Violence Prevention initiatives based on Inquiry recommendations.

RECOMMENDATION 5: Government to commit to remove section 14 of the Infants Ordinance 1961 and to consult appropriately. Gradually move to ban corporal punishment and harsh verbal punishment in homes.

RECOMMENDATION 6: Re-establish the Fa'asamoa practice of effective communication between parent and child.

RECOMMENDATION 7: Promote a gender equal approach to parenting based on the Fa'asamoa and human rights to address patriarchy, female subservience and male sexual entitlement.

RECOMMENDATION 8: Place gender equality at the forefront of the objectives of the Samoa Family Violence Prevention Office and develop activities and measures to modify the social and cultural patterns of conduct of men and women to eliminate patriarchal attitudes of male superiority, and monitor long-term impact.

RECOMMENDATION 9: Address misconceptions around the Fa'asamoa which further gender inequality and contribute to family violence and identify and implement ways in which it can prevent and protect against family violence.

RECOMMENDATION 10: Develop a public theology on family violence, which addresses Biblical misinterpretations that reinforce gender inequality and violence.

RECOMMENDATION 11: Take necessary measures to remove barriers affecting the participation of women and other groups in the Village Fono, Parliament and Churches.

RECOMMENDATION 12: Through a consultative process develop a family safety curriculum to be delivered to all children.

RECOMMENDATION 13: Strengthen the ban on corporal punishment in schools through educating society on its negative impacts and how it violates the Fa'asamoa and human rights.

RECOMMENDATION 14: Conduct a national public education and awareness raising campaign, targeting harmful attitudes and practices and raising understanding of key laws and services.

RECOMMENDATION 15: Ensure journalists are able to report on family violence in a manner which protects victims and enhances national understanding of the nature and causes.

RECOMMENDATION 16: Minimise the harmful effects of media through education and standard setting.

RECOMMENDATION 17: The establishment of a National Family Violence Crisis Centre with in-house certified counselors.

RECOMMENDATION 18: Universal Parliamentary support for tackling family violence.

RECOMMENDATION 19: Increase spending and accountability on family violence programmes, placing gender equality at the forefront.

RECOMMENDATION 20: Village Fonos to take a leading and proactive role in prevention of family violence.

RECOMMENDATION 21: Churches to refrain from promoting attitudes which family violence breeds and to become a leading actor in preventing family violence.

RECOMMENDATION 22: Establish data collection and Monitoring and Evaluation at the heart of allfamily violence prevention work in Samoa.

RECOMMENDATION 23: Strengthen the legislative framework and develop a comprehensive monitoring and evaluation framework.

RECOMMENDATION 24: Ensure the provision of universally accessible shelter services based on current need.

RECOMMENDATION 25: Increase the capacity of the Police service to be able to carry out its role as the primary protection agency for victims of family violence.

RECOMMENDATION 26: Enhance the role and capacity of the health service to adequately protect against family violence and to play a role in ending the cycle of violence.

RECOMMENDATION 27: Further develop the allied health service in Samoa to adequately cater for victims of family violence.



RECOMMENDATION 28: Strengthen the justice system to ensure equal access to justice, adequate standards of services and for the judiciary to proactively consider risks of ifoga and character references on victims of family violence.

RECOMMENDATION 29: Amend the Village Fono Act 1990 to specifically list Family Violence as an area of concern for the Village Fono.

RECOMMENDATION 30: Empower the Village Fono and Village Family Safety Committee to play a role in bringing perpetrators of family violence to formal justice.

RECOMMENDATION 31: Empower the Village Fono / Village Family Safety Committee to play a direct role in the protection of individual cases of family violence through provision of shelter for victims and appropriate penalties for perpetrators.

RECOMMENDATION 32: Increase the capacity of the church to protect against family violence and prevent placing victims at risk of further harm.

RECOMMENDATION 33: Government to take a pro-active role in strengthening and coordinating the Non-Government Organisation sector response to family violence.

RECOMMENDATION 34: Reduce alcohol abuse rates.

RECOMMENDATION 35: Address traditional and religious giving practices to reduce family violence arising from financial pressures and increase financial empowerment programmes.

RECOMMENDATION 36: Develop understanding of the role of anger in family violence, expand anger management programmes and address the role of jealousy through education and awareness programmes.

RECOMMENDATION 37: Increase national financial literacy.

RECOMMENDATION 38: Mitigate the loss of outdated family violence prevention mechanisms through strengthening other mechanisms and implementing the range of Inquiry recommendations to establish new ones. Full implementation of the Inquiry recommendations can also be used to re-empower men and women within the village context.

RECOMMENDATION 39: Raise awareness on the consequences of excessive use of technology and promote alternative healthy living activities



Appendix A: MYTHS OF FAMILY VIOLENCE

Throughout the Inquiry a number of myths of family violence were highlighted by witnesses, the consultations and research. These are listed below and are explained in detail in the full report.

Myth 1: Alcohol and Drugs cause family violence

Myth 2: Family violence is caused by anger

Myths 3: Abusers are often strangers, or terrible monsters and only adults abuse children

Myth 4: Children often make up stories and can't be trusted

Myth 5: Children invite sexual abuse by acting or dressing seductively

Myth 6: Sexual abuse always leaves evidence

Myth 7: Only girls are sexually abused

Myth 8: Women are obliged to have sex with their husbands once they are married

Myth 9: Fuā (Jealousy) causes men to beat their wives

Myth 10: 'Being smacked as a child made me into the good person I am today' or 'It didn't do me any harm'

Myth 11: Being exposed to violence as a child means they are destined to go on and become a perpetrator or victim of violence when they grow up.

Myth 12: The Convention on the Rights of a Child (CRC) gives children rights which lead to increased drug and alcohol abuse, sexual promiscuity, disrespectful behaviour, violence and suicide.

Myth 13: The Convention on the Rights of a Child (CRC) interferes with parental responsibility to discipline and raise one's children.

Myth 14: The Bible says that wives are inferior to husbands and should be physically disciplined if they fail to obey.

Myth 15: Banning corporal punishment will mean lots of parents end up in jail.

Myth 16: Banning corporal punishment will lead to increased crime.



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