



**Government of Saint Christopher and Nevis**

**THIRD MULTILATERAL EVALUATION ROUND  
FOLLOW-UP PHASE**

**ST. KITTS AND NEVIS**

**PROGRESS REPORT ON THE IMPLEMENTATION OF THE INTER AMERICAN CONVENTION ON  
THE PREVENTION, PUNISHMENT AND ERADICATION OF VIOLENCE AGAINST WOMEN**

**"BELÉM DO PARÁ CONVENTION"**

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## Selection of Indicators for the Follow-up Phase of the Third Multilateral Evaluation Round of the MESECVI-2019

### 1.1. LEGISLATION: Art. 1, 2, 3 y 7 c), e) y g)

|           | STRUCTURAL  | PROCESS  | RESULT  |
|-----------|---|--|---|
| INDICATOR | RECEPTION OF THE RIGHT  |  |   |
|           | <p>Enactment of specific legislation on different forms of violence, including:</p> <p>Femicide as the “the violent death of women based on gender, whether it occurs within the family, a domestic partnership, or any other interpersonal relationship; in the community, in their workplace, in public space, by any person or group of persons known or unknown to the victim, or when it is perpetrated or tolerated by the state or its agents, by action or omission”, either as an autonomous offense or as an aggravating factor in homicide</p> | <p>Existence of laws governing the right of individuals in educational institutions to be educated in an environment free of violence and discrimination</p> | <p>Femicide and/or Violent Deaths of Women (VDW) rate per 100,000 women: number of girls and adolescents, adult women and elderly women killed in the past twelve months through any form of femicide, multiplied by 100,000 and divided by the number of women living in the country</p> |

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|  |  | <p>Existence of systematic education school curricula in primary education, secondary education, university and the general public on gender stereotypes, gender equality and the promotion and protection of women's rights, and the penalties for violation of the right to a life free of violence</p>                             | <p>Conviction rate for Gender related killings of Women:</p> <p>Number and percentage of criminal proceedings for the crime of femicide/ Violent Death of Women, versus number and percentage of criminal cases with judgment (conviction or acquittal) for the crime of femicide/Violent Death of Women</p> |
|  |  | <p>Existence of systematic training, staff training and awareness of the public sector officials on the legal tools of punishment, protection and promotion of women's rights, particularly the right to a life free of violence.</p> <ul style="list-style-type: none"> <li>• Type of processes (nature, timing, content)</li> </ul> | <p>Number and percentage of cases known by the jurisdictional entities of the justice system for reparation of women affected by violence or collateral victims in case of violent death of women</p>  |

|                                      |   |  |  |
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|                                      |   | <ul style="list-style-type: none"> <li>• Number and type of public sector entities that assume these processes</li> <li>• Number of officials and officers who accessed the processes</li> </ul> <p>Exchange mechanisms, monitoring and evaluation of training processes</p> |  |
|                                      |   | <p>Existence of combined participatory mechanisms aimed at evaluating the sexist content in publicity and advertising</p>  | <p>Ratio between the VDW (violent death of women) caused by their partner or ex-partner and the VDM (Violent death of men) caused by their partner or ex-partner in the past twelve months.</p> <p>Cause of death by gender, age, ethnic origin, and socioeconomic level</p> |
| <p>QUALITATIVE SIGNS OF PROGRESS</p> | <p>Existence of spaces, mechanisms and tools with recognition and legal status for interagency coordination between the public and civil society organizations based on the promotion and protection of the right to a life</p> |  |  |

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|                         | free of violence for women   |   |   |
| <b>STATE CAPACITIES</b> |  |   |   |
| <b>INDICATOR</b>        | Action protocols for justice operators, health (service provider), teachers, and public officials in connection with different forms of violence | Existence of implementation and care protocols to deal with violations of the right of women and girls to be educated, at (public and private) educational institutions, free of stereotyped patterns of behavior and social and cultural practices based on inferiority and subordination concepts | Number of cases heard and decided by public or private educational institutions concerning violation of the right of women and girls to be education free of stereotyped patterns of behavior and social and cultural practices based on concepts of inferiority or subordination |
|                         |  | Existence of administrative agencies for filing complaints of noncompliance with obligations  | Number of curricular review and revision to eliminate gender stereotypes by subject and   |

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|  |  | related to the right to an education free from discrimination | academic level  |
|  |  |   | Monitoring reports of knowledge, understanding and application of specific protocols and regulations on the rights of women, as part of regular assessments to access incentives, credits, ranks (the justice, health, education) |
| <b>BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS</b> |  |   |   |
| <b>INDICATOR</b>   | National budget law identifying funds allocated for women's mechanisms, specialized offices, health sector, education sector, etc. |   |   |

1.2. NATIONAL PLANS: Art. 1, 2, 7 y 8 c), d) y f)

|           | STRUCTURAL  | PROCESS  | RESULT |
|-----------|---|--|--------|
| INDICATOR | RECEPTION OF THE RIGHT  |  |        |
|           | <p>National plan, policy, action, strategy for the prevention, attention, and eradication of violence against girls and adolescents, adult women and elderly women in its different forms. Scope and characteristics considering girls and adolescents, adult women and elderly women who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom</p> | <p>Existence of capacity-building in gender stereotypes and violence prevention for educators at all levels of education</p> |        |



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|-------------------------------|--|---|---|
|                               | Existence of a national, state, or municipal policy to eliminate gender stereotypes in education   | Existence of research on the impact of gender stereotypes in judicial investigations and in prosecutions  |   |
| QUALITATIVE SIGNS OF PROGRESS | Number and characteristics of civil society organizations involved in the promotion and protection of the right to a life without violence, considering organizations particularly involved with girls and adolescents, adult women and elderly women who are ethnically diverse, Afrodescendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom. Indicate forms and type of participation |   |   |
| <b>STATE CAPACITIES</b>       |  |   |   |
| INDICATOR                     |  | Existence of public or private observatories on discriminatory institutional conducts or practices against women or which endeavor to reverse them in all areas, with a | Number of programs specially designed to deal with the right of women and girls to be valued and educated free of stereotyped |

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|  |  | <p>special focus on education, health, and justice</p>   | <p>patterns of behavior and social and cultural practices based on inferiority and subordination concepts:</p> <ul style="list-style-type: none"> <li>• At school</li> <li>• At home</li> <li>• In territorial areas and in local government</li> <li>• In Public Prosecution</li> <li>• Ministries of Health</li> <li>• In the Police Force In the media</li> <li>• In religious places</li> </ul> |
|  |  | <p>Existence of training processes for journalists, communication professionals, and media representatives on the right of women and girls to be free from all forms of discrimination and</p> | <p>Number of journalists and media professionals and representatives who have participated in educational processes on the right of women and girls to be free</p>  |

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|  |  | stereotyped patterns of behavior and social and cultural practices based on inferiority and subordination concepts        | from all forms of discrimination and stereotyped patterns of behavior and social and cultural practices based on inferiority and subordination concepts  |
|  |  | Existence of campaigns on what gender stereotypes in education are and what produces them                                 | Number of codes of conduct for media organizations and advertising agencies, which include the right of women to be free from all forms of discrimination, and the right of women to be valued and educated free of stereotyped patterns of behavior and social and cultural practices based on inferiority and subordination concepts |
|  |  | Existence of study plans, textbooks, and educational material free of gender-based stereotypes for all levels of teaching | Service usage rate: <ul style="list-style-type: none"> <li>• By victims of different forms of violence</li> <li>• Telephone assistance</li> <li>• Legal assistance</li> </ul>  |

|  |   |  |  |
|--|---|--|--|
|  |   |  | <ul style="list-style-type: none"> <li>• Health care services</li> </ul> |
| QUALITATIVE SIGNS OF                                     | Characteristics, coverage, and schedule of outreach campaigns against the sexual harassment |  |  |
| <b>BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS</b> |   |  |  |
| INDICATOR  |   | <p>Percentage of public spending allocated to:</p> <ul style="list-style-type: none"> <li>• actions, plans, strategies, and programs to address violence</li> <li>• Infrastructure investments for cases of violence (shelters, preventive measures, availability of mechanisms, etc.)</li> <li>• training in violence for personnel from the three branches of government</li> <li>• sexual and reproductive health services</li> <li>• health services</li> <li>• in the education sector</li> <li>• in the employment sector</li> </ul> |  |

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|  |  | Spending on ensuring life without violence and spending on health, both broken down by jurisdictions (state, provincial, local) |  |
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1.3. ACCESS TO JUSTICE: Art. 7 d), f) y 8 c) y d)

|           | STRUCTURAL   | PROCESS | RESULT   |
|-----------|--|---------|--|
| INDICATOR | RECEPTION OF THE RIGHT   |         |  |
|           | Existence of criminal investigation protocols on crimes of violence against women, femicide and violent deaths of women, with a gender perspective |         | Number and percentage of cases heard by the Criminal Courts (ordinary and specialized) for different crimes: violence against women, femicide, attempted femicide, in relation to the number and percentage of judgments (convictions and / or acquittals) issued by the courts (ordinary and specialized) |
|           |  |         | Regular publication of statistics prepared, and studies carried out  |

|                               |  |   |   |
|-------------------------------|--|---|---|
| QUALITATIVE SIGNS OF PROGRESS | Number and characteristics of civil society organizations that are involved as advisors or as complainants in criminal proceedings for violence against women and femicide | Publication of and access to information on judgments and rulings enacted |   |
|                               |  | Periodic statistical reports on violence against women                    |   |
| STATE CAPACITIES              |  |   |   |
| INDICATOR                     | Number of public or state-supported legal services specializing in women affected by violence  |   | <p>Number of women public servants who work in positions that have direct interaction with women affected by violence against women in all its manifestations:</p> <ul style="list-style-type: none"> <li>• Number and percentage of female police officers in relation to the number of cases reported to the institution</li> <li>• Number and percentage of women psychologists and psychiatrists in relation to the number of cases reported to the institutions responsible for dispensing justice.</li> <li>• Number and percentage of</li> </ul> |

|  |   |   |   |
|--|---|---|---|
|  |   |   | social workers in relation to the number of cases reported to the institutions responsible for dispensing justice |
|  | Number of toll-free telephone lines, with national, state, and/or local coverage, for women |   |   |
| <b>BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS</b> |   |   |   |
| <b>INDICATOR</b>   |   | Financial resources destined to fund free legal representation and judicial services, intended for indigenous girls and adolescents, adult women and elderly women, afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom |   |
| <b>QUALITATIVE SIGNS OF PROGRESS</b>                     |   | Publication of and access to information on budget allocations and spending   |   |

#### 1.4 INFORMATION AND STATISTICS: Art. 8 h)

|                  | STRUCTURAL  | PROCESS | RESULT |
|------------------|---|---------|--------|
| <b>INDICATOR</b> | <b>RECEPTION OF THE RIGHT</b>   |         |        |
|                  | Regulations covering the State's obligation to keep administrative records (police, judicial, prosecution service, defense offices, social services, health, etc.) on the different cases of violence against girls and adolescents, adult women and elderly women in its various manifestations. |         |        |
|                  | Regulations appointing the competent authority for coordinating efforts to ensure complete administrative records   |         |        |
|                  | Regulations covering the State's obligation to conduct regular research and studies to monitor and assess policies, plans,  |         |        |



|                               |  |  |  |
|-------------------------------|--|--|--|
|                               | programs, strategies, and actions  |  |  |
| QUALITATIVE SIGNS OF PROGRESS | Number and characteristics of public sector institutions producing or generating statistical information on violence against women   |  |  |
|                               | Number and characteristics of civil society organizations requesting access to public information considering organizations particularly working with girls and adolescents, adult women and elderly women of diverse ethnic origin, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom |  |  |
| STATE CAPACITIES              |  |  |  |
| INDICATOR                     |  |  | Existence and availability of regular databases or other sources of information on different forms of violence |

|  |  |  |  |
|--|--|--|--|
| <b>QUALITATIVE SIGNS OF PROGRESS</b>                     | Production reports, specialized studies from various disciplines on violence against women and femicide with statistical bases |  |  |
| <b>BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS</b> |  |  |  |
| <b>INDICATOR</b>   | National laws including budgetary allocations for meeting information production obligations                                   |  |  |

### 1.5 DIVERSITY: Art. 9

|                  | STRUCTURAL  | PROCESS   | RESULT   |
|------------------|---|---|--|
| <b>INDICATOR</b> | <b>RECEPTION OF THE RIGHT</b>   |   |  |
| <b>INDICATOR</b> | Law or national policy on the guarantees of a life without violence that addresses ethnic diversity (indigenous, aboriginal peoples, campesinos) rural and Afro-descendants | Processes for preparing laws or national policies guaranteeing a life without violence that take into account ethnic diversity (indigenous, aboriginal peoples, campesinos), rural and Afro-descendants, girls and adolescents, | Violence rate and hate crimes in girls and adolescents, adult women and elderly women who are lesbians and/or against women with diverse gender identity |

|  |  |   |  |
|--|--|---|--|
|  |  | adult women and elderly women with disabilities, migrants, refugees, displaced persons, deprived of their freedom or diverse sexual preferences and diverse sex-gender identities |  |
|  | Law addressing / including the right of gender identity, sexual identity and sexual diversity  |   | Violence rate among women married to their assailants  |
|  |  |   | Violence rate among elderly women  |
|  | Acknowledgment of intercultural citizenship in domestic legislation, considering the indigenous, rural, communities' rights to their practices and knowledge |   | Violence rate by level of schooling, race, ethnic origin, country of origin, and socioeconomic level |
|  |  |   | Violence rate among girls and adolescents, adult women and elderly women with disabilities           |

|                  |                         |  |   |
|------------------|-------------------------|--|---|
|                  |                         |  | Violence rate among women in a relationship with their assailants                                 |
|                  |                         |  | Percentage of indigenous, rural, women keeping the knowledge and culture within their communities |
|                  | <b>STATE CAPACITIES</b> |  |   |
| <b>INDICATOR</b> |                         |  | Percentage of indigenous, rural, girls and boys attending intercultural schools                   |

## 1. Legislation

Under the **Saint Christopher and Nevis Constitution**, Chapter II (Protection of Fundamental Rights and Freedoms), Section 15 affords protection from discrimination on grounds of race etc. Sub-section 3 specifically states “In this section the expression “discriminatory” means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, place of origin, birth out of wedlock, political opinions or affiliations, colour, sex or creed whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded privileges or advantages that are not accorded to persons of another such description”. However, gender or women are not specifically mentioned.

The Federation is obligated to eliminate discrimination under a framework of legislative measures which govern the rights of individuals to live in an environment free of violence include the introduction of, and revisions to existing laws. Relevant legislation includes, but is not limited to the following:

**Offences Against the Person Act, 1873** makes provision regarding offences against the person and related matters. It includes aggravated assaults on females, rape, abduction, defilement of women, attempts to procure abortion and concealing the birth of a child.

**Probation and Child Welfare Board Act, 1994** makes provision for the care and protection of children, and places a duty on professionals to report all, and suspected cases of abuse. The functions and powers of the Child Welfare Board are defined under the Act and include receiving and investigating reports of abuse and, where relevant, providing to the Attorney General, Police Commissioner and Director of Public Prosecutions copies of those reports and investigations. Services are also provided for juvenile delinquency and residential care.

**Education Act, 2005** provides for a system of education designed as far as possible to ensure that the intellectual and vocational abilities, aptitudes and interests of students to find adequate expression and opportunity for development. Furthermore, clause 3(3)(f) mandates the development of an understanding of the principle of gender equality and other forms of equality as defined in the Constitution.

**Trafficking in Persons (Prevention) Act, 2008** prescribes measures to prevent and combat trafficking in persons, with particular regard to victims who are women and children and includes child pornography, exploitation and forced labour. The Saint Christopher and Nevis Trafficking in Persons (Prevention) Act , Chapter 4.40 states it is ‘AN ACT to prescribe measures to prevent and combat trafficking in persons with particular regard to victims who are women and children, and to provide for related or incidental matters’. Under section 3 of this Act trafficking in persons is a criminal offence and persons committing this offence are liable to imprisonment for a period of 20 years, a fine of two hundred and fifty thousand dollars; or both a fine and imprisonment.

**The Electronic Crimes Act, 2009** has penalties for persons committing the offence of child pornography which include fines and imprisonment.

**Domestic Violence Act, 2000** makes provision for the protection of any person subjected to domestic violence, and provides for related or incidental matters. Victims may apply for injunctions and protection orders against perpetrators. Where a person is convicted of an offence under this Act, the court may, instead of imposing a sentence, make a rehabilitation order programme or rehabilitation programme. The court may, on making an order under this Act recommend either or both parties to participate in counselling of such nature as the court may specify. A person who commits any of the offences under this Act for which no penalty is prescribed is liable, on summary conviction, to a fine not exceeding five thousand dollars or to imprisonment for a period not exceeding six months or both.

**Domestic Violence Act, 2014** provides protection for victims of domestic violence including violence against women and children and makes provision for the granting of protection orders. Under the Act domestic violence is defined as “any controlling or abusive behaviour that harms the health, safety or well-being of a person or any child” and the various forms of domestic violence are detailed. The Act has been passed in Parliament. However, due to a change of administration in 2015 the legislation is now being brought into force.

The law prohibits rape but it does not specifically address spousal rape. There is anecdotal evidence of this problem which is often under-reported. The subject is a controversial and cultural argument; and there is not broad public support for legislation so public education and awareness is necessary.

### **State Capacity - Qualitative Signs of Progress**

In terms of state capacity, there are mechanisms in place for interagency coordination between the public and civil society organisations based on the promotion and protection of the right to a life free of violence for women. In this regard, the Domestic Violence Act, 2014 is the key piece of legislation upon which the Sexual Violence Complaints and Response Protocol (formally launched in November 2018) hinges. The Protocol was developed with the support of the Legal Department and Magistracy. Implementation workshops for key stakeholders named in the Protocol were conducted across the Federation in June 2019.

Stakeholders benefited from the training with facilitation rendered from the legal department who explained the legal aspects contained within the Protocol. The workshops were attended by a total of eighty (80) stakeholders who were educated about their roles and responsibilities under the Protocol. Stakeholders were represented from the public and private sectors; and civil society agencies including law enforcement, judiciary, social and health services and NGOs who provide support services to victims of domestic violence.

## **2. National Plans**

Domestic violence is the most common form of gender-based violence which predominantly affects women and girls. Within the Federation of St. Kitts and Nevis a number of institutions and agencies are involved in service provision to victims of domestic violence. Incidents are reported at various entry points, for example, the Department of Gender Affairs, the Royal St. Christopher and Nevis Police Force (Special Victims Unit), Magistrates Court, Ministry of Health, and Ministry with responsibility for Social Services. Data from the Special Victims Unit of the Royal St. Christopher and Nevis Police Force showed that in the period January to November 2017 women represented over 87% of reported incidents; and younger women in the age range 18-30 years were represented in greater numbers than women aged over 30 years (see Appendix 1).

The Department of Gender Affairs is a unit within the Ministry of Community Development, Gender Affairs and Social Services. It was first established in 1986, as 'The Department of Women's Affairs' in the Ministry of Health and Women's Affairs. In 2000, the Department assumed its new name 'Department of Gender Affairs' in keeping with the state's commitment to ensure that gender is mainstreamed in all of its policies and programmes, as well as to ensure specific impact on men and women. The Department has major responsibilities for raising awareness; monitoring and improving the status of women and girls in the country through the implementation of a number of International Conventions and declarations; as well as the Constitution of Saint Christopher and Nevis which speaks to equality between men and women. The Department's priority areas include the formation of a National Gender Policy, the empowerment of women and girls, the reduction of all forms of gender based violence, poverty elimination, governance and democracy, and programmes for men and boys. A gender based violence strategic plan was drafted in 2018.

The Government continues to strengthen services and take preventative steps to tackle and reduce incidents of domestic violence.

### **Indicators**

#### Special Victims Unit

The Special Victims Unit (SVU) within the Royal Saint Christopher and Nevis Police Force works closely with the Department of Social Services and deals with issues including domestic violence and child abuse. Officers are specially trained to identify and investigate allegations that occur within the family. The SVU is headed by a female officer, and staffed by six officers in total; five of which are female (83%). Established in 2012, the unit relocated from the Police Headquarters in Basseterre in 2018 and now operates as a stand-alone unit. The relocation gives victims a greater level of confidence in reporting incidents.

NGOs also provide support to victims and survivors of sexual abuse. Examples include 'No Judgment SKN' who are involved in public awareness activities such as International Sexual Assault Awareness

Month, collaboration in training sessions with stakeholders and other forms of education through their social media presence. In addition, 'Silence No More' is a community based group whose vision is to educate the public on issues of domestic violence against women, men and children; while the 'Garden of Rebirth'; a family-based shelter for abused women, provides support services to victims and their families.

### Counselling and Social Assistance

The Federal Government through the ministries of Social Services offers an array of services, including care and protection; counselling for individuals, families and perpetrators of domestic abuse.

### Tackling Sexual Harassment

There is no legislation specific to sexual harassment but complaints may fall under the Protection of Employment Act, 1986. Work is ongoing with the government to draft sexual harassment legislation. Within the Public Sector, standing order number 19 of 2012 clearly defines sexual harassment in the workplace and provides for reporting, resolution and punishment of such actions.

### St. Kitts and Nevis Domestic and Sexual Violence Complaints and Response Protocol

The development of a national Domestic and Sexual Violence Complaints and Response Protocol was made possible with the support of PAHO (Pan American Health Organization) and UNIFEM. The Protocol, conceptualized in 2009 and approved by Cabinet on March 26<sup>th</sup> 2018, was officially launched in November 2018. The national Domestic and Sexual Complaints and Response Protocol is a comprehensive tool which identifies the different forms of gender based violence. It establishes quality standards, and utilizes a human rights based approach. The purpose of the Protocol is to document the key organisations and agencies in the Federation that provide services to survivors and complainants of domestic and sexual violence. It aims to improve domestic violence programmes by identifying and promoting best practices. Additionally, it offers enhanced support and reduced duplication of effort between agencies, as well as the provision of information to complainants.

In June 2019 the Ministry of Community Development, Gender Affairs and Social Services, in collaboration with PAHO conducted a number of Domestic Violence Protocol Implementation workshops for the stakeholders. The objectives of the workshops were to educate stakeholders as to their roles and responsibilities, map out the requirements for an implementation plan, review existing data collection mechanisms; and to establish focal points in each ministry for evaluation and monitoring purposes.

The workshops were attended by 80 key stakeholders across the Federation including representation from law enforcement, legal services, judiciary, ministry of health, social services, civil society organisations. Participants were trained in understanding procedures and processes in handling cases of domestic violence as well as ongoing training in gender based violence for focal points,



partners and stakeholders.

### Gender Sensitization Training

'Gender mainstreaming' is a strategy embraced by the Government, and is an important initiative that is used in the development of all government policies and programmes to address unequal social structures that impact on the lives of men and women. During the period 2016-2017 the Department of Gender Affairs provided gender sensitization training to 116 focal points drawn from across the wider society of St. Kitts and Nevis in order to promote a greater understanding of gender in the public and private spheres to enable the sectors to address and provide more substantive reporting on gender related issues. Further training was conducted for the above mentioned groups in July and August 2018.

### Development of a National Gender Equality Policy and Action Plan (GEPAP)

The need for the development of a National Gender Policy to assist with the mainstreaming of gender in all sectors of government and civil society was highlighted in the findings of the Country Gender Assessment (2014). It is in this regard that the Government of St. Kitts and Nevis is in the process of developing a comprehensive National Gender Equality Policy and Action Plan that will guide the transformation process towards gender equality and equity. It is envisaged that the Gender Policy will be shaped by the Sustainable Development Goals framework and other international instruments to which the state is a signatory. The policy will ensure that men and women have equal access to resources, participate equally in every area of national endeavor, and that cultural barriers to the realization of equality are addressed.

The development of the gender policy was formally launched in November 2018 and the GEPAP is guided by a multi-sector Steering Committee. The project is of 12 months duration and is expected to conclude in December 2019. It involves widespread consultations, public awareness and advocacy activities, including the collection of qualitative stakeholder data through discussions, focus groups and roundtable meetings which form a significant component of the process. The target groups include women's and men's organisations, public and private sectors, non-governmental, community, and faith-based organisations; civil society, the media, and female-headed families. Currently data is being sought on activity made or proposed to ensure equality; this includes legislation review, prosecution of sexual offenders of minors, trafficking of persons, age of consent and age of majority, support for teenage mothers and sexual harassment in the workplace.

### Increasing protection for victims

Efforts are being made to increase protection to victims of domestic violence, abuse, and trafficking.

There is no state-established shelter for women fleeing abuse however, there are ongoing discussions between the government and NGOs towards the provision of a safe house involving private public

partnership. Garden of Rebirth is a Women's Centre with a charitable status, located on the island of St. Kitts which aims to provide a safe, nurturing and empowering environment for women.

### Services for Children

The Probation and Child Welfare Board Act, 1994 makes provision for the care and protection of children, and places a duty on professionals to report all suspected cases of abuse. The functions and powers of the Child Welfare Board are defined under the Act and include receiving and investigating reports of abuse and, where relevant, providing to the Attorney General, Police Commissioner and Director of Public Prosecutions copies of those reports and investigations. Services are also provided for juvenile delinquency and residential care.

The technical responsibilities bestowed upon the Board to execute child protection services under the Children (Care and Adoption) Act, 2013, are an anomaly compared to other models of practice in the region. The Act permits the Board to seek the assistance of child protection agencies, and in reality Probation and Child Protection Services executes service delivery. Human resource and structural issues hampered the ability of the Child Welfare Board to fulfil its mandate which has resulted in delays for children in need of care and protection.

The Government of St. Kitts and Nevis affirmed its commitment to address issues related to the sexual abuse and incest of children by launching the Blue Bear Campaign in October 2013. As part of a regional initiative, and sponsored by UNICEF, the local campaign officially dubbed 'Break the Silence: Prevent Child Sexual Abuse Blue Bear Campaign,' calls for empowerment through education.

Awareness raising activities were conducted in schools, churches and the media; and training delivered to teaching staff equipping them with skills to identify signs of abuse. Annual public awareness programs include Child Abuse Prevention Week which are used as opportunities to raise public awareness of issues faced. In addition, the development of a National Child Protection Protocol to provide guidance to agencies and professionals involved in child abuse cases is ongoing. Counsellors are duty bound to report issues affecting children.

### Public Awareness and Education

The Government of St. Kitts and Nevis has worked diligently to accomplish a number of achievements in relation to public awareness and education with regard to the prevention of violence against women; gender sensitization and gender equality. Measures to tackle and reduce the incidents of domestic violence include vulnerable groups such as persons with disabilities, teenage mothers, the elderly; and female single headed households. A holistic approach has been adopted and strategic partnerships made with civic groups, churches, organisations and the Ministry of Health.

The Department of Gender Affairs, in partnership with the National Women's Council and National Men's Council works with incarcerated men and women to deliver training sessions aimed at rehabilitation in order to eradicate gender based violence.

Furthermore, the Men's Programme at the Department of Gender Affairs includes a relationship skills programme, the components of which, include negotiation and effective communication skills. A violence intervention programme, aimed at batterers, covers alternatives to violence, gender stereotypes discussions, the law, and anger management. The Health and Family Life Education curriculum delivered in schools covers domestic/gender-based violence.

Observances in the international calendar are harnessed as opportunities to disseminate information to the public. The annual '16 Days of Activism Against Gender Based Violence' campaign runs from 25 November (International Day for the Elimination of Violence against Women) to 10 December (Human Rights Day). The Department of Gender Affairs observes the campaign with a series of events intended to raise public awareness of the different forms of gender based violence, the violation of human rights, and consequences on society. Relevant examples from 2018 include:

- Use of social media to publicise information and points of contact for assistance.
- Documentary which delivered the reality of domestic violence into the homes and minds of the nation. The sobering documentary featured victims and relatives of deceased victims who spoke of their circumstances, experiences, and the behaviours exhibited by the perpetrators of domestic violence.
- Dissemination of publicity material in public places, e.g. businesses, workplaces.
- Ongoing gender sensitisation programmes relating to gender based violence e.g. seminars, dramas, interviews etc.
- Conversations took place throughout the Federation to keep the topic at the forefront with visits to male dominated workplaces to discuss, for example, "The Effects of Domestic Violence on the Family", and panel discussions with representatives from the various agencies available to educate the public about the agencies where help can be sought from.

Public education is key to raising awareness of the causes and effects of domestic violence, and ways to reduce and eradicate violence against women and girls. All forms of media are utilised and, where possible, the reach of the message is broadened and maximised by using established public figures with a following, in order to capture existing audiences.

Steps have been taken to prevent and respond to violence facilitated by technology which has been targeted at girls and women, parents and the general public. Public service announcements have been broadcast on national radio depicting scenarios featuring the voices of young girls with regard to the serious consequences of cyber bullying to spread awareness and educate the public about cyber violence. In addition the Ministry of Education website provides comprehensive information and advice to parents and children on internet safety. The Electronic Crimes Act, 2009 has penalties for persons committing the offence of child pornography which include fines and imprisonment.

St. Kitts and Nevis is one of ten Caribbean countries participating in the Get Safe Online which commenced in April 2019 and will conclude in March 2020. The project seeks to promote online safety for citizens. Elements of the project include a free, public, locally hosted website with comprehensive information on users may protect themselves; and promotional campaigns to raise awareness of risks and safe use of the internet. Contents of the website cover safeguarding children, cyber bullying, cyber stalking, texting and sexting, online abuse and webcam blackmail amongst others.

### Support for Teenage Mothers

In 1997 a Cabinet policy decision clarified the right of student mothers to continue their education. In St. Kitts, Project Viola, established since 2002, is run by the Department of Gender Affairs and creates an enabling environment in which teenage mothers can complete their education.

With support from the Basic Needs Trust Programme, a project was implemented in 2016 to 2017 which sought to enhance the structures and programming of Project Viola. As a result, a project manual and handbook was developed and issued to school principals to ensure that they are guided by the process. Assistance is provided to remove financial barriers to education, e.g. cost of day care for babies, extra tuition, books and uniforms. To date, an estimated 200 teenage mothers have returned to school to complete their secondary education and many have progressed to tertiary education. Students advancing to further education may receive additional financial support and benefit from scholarships. Project Viola is recognised by UNICEF as a best practice model in the Caribbean region.

### Basic financial context and budgetary commitments

No data available.

## **3. Access to Justice**

The Domestic Violence Act, 2014 mandates police officers to respond to every report of alleged domestic violence, and to inform complainants of their rights and entitlement to put in place a protection order.

The Special Victims Unit (SVU) within the Royal Saint Christopher and Nevis Police Force works closely with the Department of Social Services and deals with issues including domestic violence and child abuse. Officers are specially trained to identify and investigate allegations that occur within the family. The SVU is headed by a female officer, and staffed by six officers in total; five of which are female (83%).

The number and percentage of women psychologists, psychiatrists and social workers in relation to the number of cases reported to the institution responsible for dispensing justice is unknown.

There is no official toll-free hotline service for reporting domestic violence incidents, nor is there a established government shelter for women fleeing abuse as anonymity and safety cannot be guaranteed on a small island. The Department of Gender Affairs does however manage an on-call cell phone which members of the public can call to receive advice or assistance. The telephone number is published on the department's public relations material and on the department's social media platform. Complaints may be made to the Department of Gender Affairs who have an obligation to listen and explain the services and options available to complainants.

Under the Domestic and Sexual Violence Complaints and Response Protocol the Department of Gender Affairs has responsibility for explaining the Court processes; assisting complainants to complete forms for protection and other orders; and informing them of support services available.

#### Provision of Legal Aid Services

The Government took steps to remove legal and institutional barriers to effective and equal access to justice. The Legal Aid Advice Centre in St. Kitts was operational from 2005 where persons unable to afford an attorney at the private bar are able to access high quality legal services from specialized personnel. In 2016 the Legal Aid was decentralized to the rural areas and services were increased and made more accessible to persons living in those areas.

#### **4 Information and Statistics**

In general, availability of data is a challenge faced in the Federation. At the present time there is no national central mechanism for data collection. Although many institutions have their own recording systems, difficulties are encountered when attempting to access data which may not be stored electronically, nor in the format required, i.e. disaggregated by sex.

The Government fulfils international and regional reporting obligations for Latin America and the Caribbean, for example, Gender Equality Observatory Reporting (ECLAC), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); and Beijing Declaration and Platform for Action (BPfA).

In the Federation there are several entry points for the reporting of domestic and sexual violence. The institutions, agencies and service providers include but are not limited to the Department of Gender Affairs, the Royal St. Christopher and Nevis Police Force (Special Victims Unit), Magistrates Court, Ministry of Health, Ministry with responsibility for Social Services, Private Sector, Civil Society (faith and community based organisations, NGOs); and Ministry of Education.

Each institution has its own system (or lack therefore) of dealing with sexual violence and domestic violence reports and recording such incidents as "domestic violence incident".

Domestic violence data disaggregated by sex can be obtained from the Royal St. Christopher and Nevis Police Force. Statistics from the Local Intelligence Office of the Police Force revealed 120 recorded cases of domestic violence in 2018; of which 90 cases were female (75%), and 30 cases were male (25%).

The Royal St. Christopher and Nevis Police Force is now adopting the definition of femicide as stated by UNODC in the ICCS manual, "Femicide is the Intentional killing of a woman for misogynous or gender-based reasons." Attention was also paid to the UN 2018 Global Study on Homicide to fine tune the interpretation.

Femicide is therefore interpreted to be "the killing of women and girls perpetrated by an intimate or former partner or a family member". Femicide statistics provided by the Local Intelligence Office of the Royal St. Christopher and Nevis Police Force indicate that of the seven cases of femicide in the period 2017-2018. The circumstances of death included two victims who were shot, two were bludgeoned, two were hacked to death and one victim was suffocated. In the majority of cases the perpetrators were former or intimate partners, or relatives.

The Department of Gender Affairs recorded 44 cases of domestic violence complaints in the period 2017 to May 2019. The majority of complaints to the Department of Gender Affairs were female and incidents comprised domestic disputes, physical and verbal abuse. Many of the complainants of domestic violence incidents had other needs and were referred on to the relevant agencies as indicated in the table below.

### **Tables of reported cases for the period January 2017 to May 2019**

**Table 1: Referral of Cases Reported to the Department of Gender Affairs (2017 to May 2019)**

| <b>Reporting Period</b> | <b>Total number of reported cases to the Department of Gender Affairs</b> | <b>Total number of referrals to other agencies</b> | <b>Total number of referrals to Special Victims Unit (domestic/gender based violence)</b> |
|-------------------------|---|--|---|
| 2017- May 2019          | 44  | 36   | 8   |

Source: Department of Gender Affairs

**Table 2: Referral of Reported Cases by Agency  
(January 2018 to June 2019)**

| Reporting Period    | Total number of reported cases to the Special Victims Unit from Gender Affairs | Total number of referrals from other agencies | Total number of referrals to the Magistrates Court |
|---------------------|--|---|--|
| Jan 2018 - Jun 2019 | 8  | 0   | 40   |

Source: Special Victims Unit

**NB:** The Magistrates Court reported that criminal proceedings are not usually charged as domestic violence but rather protection orders are taken out against perpetrators.

**Table 3: Outcome of Reported Cases from Special Victims Unit (2017 to May 2019)**

| Reporting Period    | Total number of reported cases from Special Victims Unit to the Court | Total number of reported cases went to trial | Conviction Rate         |
|---------------------|---|--|-------------------------|
| Jan 2018 - May 2019 | 40  | 40   | Information unavailable |

Source: Magistrates Court

**Table 4: Outcomes of Femicide and/or Violent Deaths of Women**

| Reporting Period    |   | Percentage       |
|---------------------|---|------------------|
| Jan 2017 - May 2019 | Criminal cases with judgment (conviction or acquittal)  | Data unavailable |
| Jan 2017 - May 2019 | Cases known by the jurisdictional entities of the justice system for reparation of women affected by violence or collateral victims in case of violent death of women | Data unavailable |
| Jan 2017 - May 2019 | Gender related killings of women  | Data unavailable |

Source: Magistrates Court

Basic financial context and budgetary commitments – Data unavailable

### Disclosure of Information

In 2018 The Freedom of Information Act, was successfully enacted. The Act makes provision for the disclosure of information held by:

- Public bodies
- Persons providing services

## **5 Diversity**

All citizens in the Federation of St. Kitts and Nevis are protected under the Constitution. There is no specific legislation that speaks specifically to diversity, however there is protection for vulnerable group embedded in other pieces of legislation such as the Domestic Violence Act, the Trafficking in Persons legislation and the Electronic Crimes Act.

Disaggregated data on rates of violence among the following groups is unavailable:

- Women married to their assailants,
- Elderly women,
- Girls and adolescents
- Women with disabilities is unavailable at the present time.



## Appendix 1: Incidents of Domestic Violence Reported to Special Victims Unit by Age (Jan-Nov 2017)

