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## Violence Against Women in Pakistan: Constraints in Data Collection

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### Abstract

It is a fact that women's rights are continuously violated at a large scale in Pakistan. Violence against women is a systematic and widespread violation of human rights, not only in Pakistan but also in the entire world. The rate of official reported violence against women acts in Pakistan is below the print media reported cases. The conviction ratio in crimes against women cases is very low. This article focuses on official recorded statistical figures of violence against women in Pakistan. It also highlights the prevalence and trend in violence against women in the country. In addition, the article presents major constraints in investigation and data collection in violence against women cases.

### Keywords

Violence, Aggression, Violence Against Women (VAM), Police, Data Constraints, Investigation, Prosecution, Conviction Ratio, Pendency, Domestic Violence, Rape, Honour Killing, Acid Throwing, Women Police.

### Introduction

Worldwide, violence against women is one of the major human rights concerns. At least one in five of the world's female population has been physically or sexually abused at some time in their life (WHO, July 1997). Many are subject to severe, persistent or repeated attacks. The abuse of women is effectively overlooked in almost every society of the world. Prosecution and conviction of the offenders who beat, harass or rape women or girls is rare when compared to number of assaults. Violence therefore works as a means to maintain and reinforce women's subordination (WHO, July 1997)

Pakistan is no exception from violence against women. Violence against women (hereinafter VAW) has an extensive prevalence in Pakistan in numerous forms e.g. domestic and sexual violence, murder, rape, spousal abuse, acid attacks, being burned by family, honour killing, vani, kidnapping and abduction etc. Pakistan is a state party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Under CEDAW commitments the state parties are bound to take measures for elimination of violence against women. The CEDAW periodic report submitted by Pakistan identifies that the easily access to gender disaggregated data on various crimes in the country has not yet been established which is a major handicap in addressing the issue of VAW. Some Non-Governmental Organizations (NGOs) do collect data on crimes against women but this data, to a large extent, is based on the media reports, and cuttings from the newspapers. Such source of data may be valid but is not reliable. The NGOs data

provide only the occurrence of cases but does not provide any additional information regarding reporting, processing, and conclusion of such cases. The importance of comprehensive data collection and measurement in violence against women cases is undeniable. Accurate and comparable data on violence are needed at the local, national and international levels to strengthen advocacy efforts, help policy makers understand the problem and take effective measures. Quantifying the accurate incidence of violence, however, is a multifarious task. Figures available through the police, ministry of women development, and other formal institutions often underestimate the level of violence because of under-reporting.

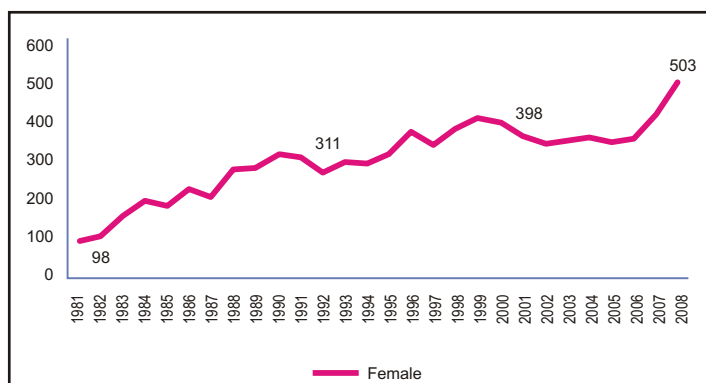
This article will present the official data regarding violence against women in Pakistan which, although not exact but, is valid and reliable to a considerable extent. Further, the article will highlight what are the constraints in investigation and data collection in VAW cases.

### Situation Analysis

According to World Fact Book 2009, total estimated population of Pakistan for the year 2009 was 176.24 million. Sex ratio for the population was 104. From this it is easy to calculate that women constitute 48% of the total population of Pakistan i.e. 84.57 million (The World Fact Book, 2009). Life expectancy for females, 65.6 years, is higher than males, 63.4 in the country. Literacy rate for male and female is 63% and 36% respectively (The World Fact Book, 2009).

As stated, there is a dearth of data availability on VAW. Whatever the official data was available has been included in this article. Figure – I shows a rising trend in murders of women in the North West Frontier Province (NWFP) from 1981 to 2008. Women murders rose from 98 in 1981 to 503 in 2008. Table – I indicates that during

Figure 1: Murders of women in the NWFP from 1981 - 2008



Source:

*Office of the Additional Inspector General of Police (Investigation) NWFP, Peshawar.*

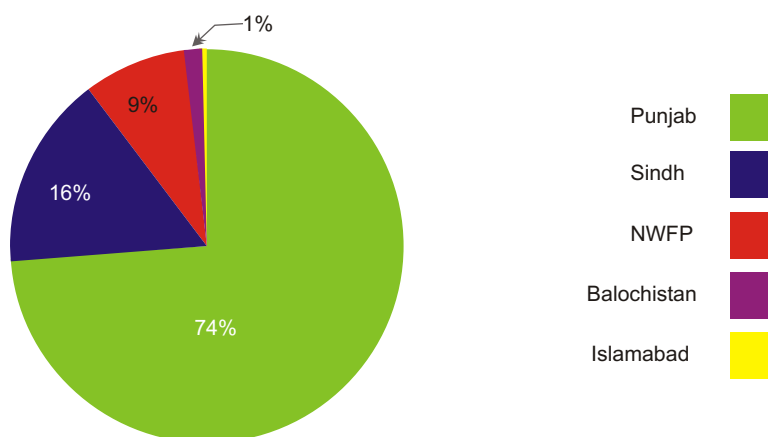
the period 2006-08 total of 12,992 cases of violence against women were reported to police, including domestic violence, suicide, rape, and acid throwing. However, the figures for suicide include both male and female, an anomaly in the official figures.

Out of the total registered cases 55.8% cases were registered as domestic violence. Rape with a share of 39.4% has the second largest part in all registered cases of violence against women. Punjab is at the top with a share of 73.47% of all registered cases of VAW followed by Sindh with 15.96%, the NWFP 8.82%, and Balochistan 1.47% (See Figure-II).

Table I: Comparative Figures of Violence Against Women in Pakistan.

	2006 - 08					
Area	Domestic Violence	Rape	Acid	Suicide	Total	% age of Total
Punjab	5,022	4,451	48	24	9,545	73.47%
Sindh	1,173	411	3	487	2,074	15.96%
NWFP	892.0	194.0	-	60.0	1,146	8.82%
Balochistan	135	55	1	-	191	1.47%
Islamabad	28	8	-	-	36	0.3%
Total	7,250	5,119	52	571	12,992	100%
% age	55.8%	39.4%	0.4%	4.4%	100%	

Figure - II



Source: National Police Bureau, Ministry of Interior, Government of Pakistan, Islamabad.

## Defining Violence and Violence Against Women (VAW)

### 1. Violence

Violence is an extremely diffused and complex phenomenon. Defining it is not an exact science but a matter of judgment. Therefore it is not so surprising to note that there is no clear definition of violence in Pakistani laws. There can be many dimensions to define violence, depending on who is defining it and for what purpose. The three most important dimensions for definition of violence are global, legal, and academic/literary. Criminological or legal definitions of violence emphasize the outcome - how badly the person was hurt-injury, proof of identity of the particular assailant and so forth - and the intention, *mens rea* of the violent act. Its impact and the motivation of the offender are influential in defining the seriousness of violence (Stanko, 2001).

World Health Organization (WHO, 1996) has provided a comprehensive definition of violence so that all forms of violence can be incorporated in the laws and policies of different countries. It defines it in the following words:

*“The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, mal-development or deprivation.”*

This definition encompasses interpersonal violence as well as suicidal behaviour and armed conflict. It also covers a wide range of acts, going beyond physical acts to include threats and intimidation. Besides death and injury, the definition also includes the myriad and often less obvious consequences of violent behaviour, such as psychological harm, deprivation and mal-development that compromise the well-being of individuals, families and communities (WHO, 2002).

### 2. Violence Against Women

Some studies use the term 'violence against women' in a technical way. Like hate crime, it is applied exclusively to a specific group, women (Violence Against Women, 2010). The UN Declaration on the Elimination of Violence Against Women, adopted by General Assembly in 1993, has defined violence against women as;

*“any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life”.*

Although broad in its scope, UN definition describes violence as acts that cause or have the potential to cause harm, and emphasizes that these acts are rooted in sex inequality. This focus on women does not deny the fact that men too experience violence.

In practice, the term violence against women encompasses a range of abuses directed at women and girls. The term includes geographically or culturally specific forms of abuse such as female genital mutilation, dowry deaths, acid throwing, and honour killings, as well as forms of violence that are prevalent worldwide such as domestic violence and rape. Perpetrators or potential perpetrators may include spouses and/or partners, parents, other family members, neighbours, teachers, employers, colleagues, policemen, soldiers, and other state employees. There are numerous forms and types of violence depending upon the definition. For the purpose of this article we selected only a few forms/types of violence officially reported and registered. These include domestic violence, rape, acid throwing and suicide.

### **3. Violence Against Women in Pakistan**

Every year in the country hundreds of women are being murdered, raped, or subjected to other forms of violence (Table – II gives the situation in one of the provinces and Table - I is for the whole country). Many more cases go unreported. Due to low conviction ratio and pendency of cases punishment to the perpetrators is virtually none (See Table - II).

The picture of violence against women in Pakistan has been presented in the above situation analysis. Domestic violence, rape, acid throwing and suicide are the major registered heads under which comparative national figures are available. We will discuss each of these major violent acts in details.

Table – I:- Conviction Ratio in the NWFP for the year 2009

Category of Crime		Previous Pending (1)	Reported (2)	Challenged (3)	Convicted (4)	Conviction Ratio (4/3)
Domestic Violence	Murder	319	145	156	8	5.1%
	Beating	112	53	54	0	-
	Any other	103	46	40	0	-
Honour Killing		75	22	24	2	8.3%
Burning	Acid	-	-	-	-	-
	Stove	1	-	-	-	-
Vini		2	3	1	-	-
Sexual Violence	Rape	112	35	34	8	23.5%
	Gang Rape	5	4	4	-	-
	Custodial Rape	-	-	-	-	-
	Incest	-	1	1	-	-
Harassment at Work Place	Physical	56	72	73	3	4.1%
	Sexual	3	-	-	-	-
	Psychological	-	-	-	-	-
Kidnapping		36	79	52	-	-
Abduction		90	189	186	-	-
Any other violence not listed above		126	35	36	2	5.5%
<b>Grand Total</b>		<b>1040</b>	<b>684</b>	<b>661</b>	<b>23</b>	<b>3.5%</b>

Source: Office of the Additional Inspector General of Police (Investigation) NWFP, Peshawar.

## Methodology of the Study

This study is a sort of evaluation research. It highlights the prevalence of different forms of violence against women in Pakistan and evaluates the reasons behind. Evaluative research is a form of research specifically designed to deal with complex social phenomena. It aims to move beyond 'just getting the facts' in order to make sense of the innumerable elements involved (Walliman, 2005). In this study the *responsive evaluation model* (emphasis ours) of evaluation research has been utilized which involves three major steps, i.e. data collection, evaluation, and suggesting changes.

Further, qualitative interviews were adopted to find out the practical constraints in data collection and investigation, conducted by Naushad Ali Khan and Imran Ahmad Sajid, with selected inspectors of the legal section of the NWFP police and Public Prosecutors. It is better to mention here that qualitative interviews, also termed non-structured, unstructured or focused interviews, are the form of interviews in which the researcher simply has a list of topics which he/she wants the respondent to talk about, but is free to phrase the questions as the researcher wishes, ask them in any order seems sensible at the time, and even join in the conversation by discussing what the researcher thinks of the topic himself/herself. The list of topics is called interview guide (Fielding & Thomas, 2001).

## Data Analysis

The acts of violence against women in the country are showing mixed trends, rise in one year while a fall in the next. In the year 2006 total registered acts of violence against women were 4673 while it decreased to 4080 the next year, i.e. 12% decrease, and showed a slightly rising trend in the year 2008, rising to 4239, i.e. 4.5% rise (See, Table - III). This trend has been depicted in Figure – III which shows a dynamic trend in acts of violence against women in Pakistan. Table – III also shows that an average of five (5) women per day are being raped and six (6) acts of violence per day takes place in the country, which is similar to the global trend as given by WHO.

In contrast to the official figures, the civil society organizations (CSOs) reports on VAW show a very huge occurrence of crimes against women. For example, the annual report of Aurat Foundation (an NGO) on VAW shows that total of 7,733 incidents were reported in 2008, i.e. 45% more than the official data, while 8,548 incidents in the year 2009 (Press Release, Feb 2010). Although the data of Aurat Foundation is based on print-media reports and is not based on any solid research methodology yet it shows the prevalence of VAW in the country. Conviction ratio in the country is very low. Table – II, for example, shows that the conviction ratio of all the Challaned cases in the NWFP for the year 2009 was only 3.5% - Challan (Final Report) is the conclusion of investigation and the form on which the case file is sent to the competent court for trial. Pendency of cases is very high. The low conviction ratio and pendency is not a good sign for Pakistan's criminal justice system and human rights situation.

Table – III Year-wise Acts of Violence Against Women in Pakistan 2006 - 2008

Crime / Year	2006	2007	2008	Total
Domestic Violence	2740	2334	2176	7250
Rape	1733	1496	1890	5119
Acid	12	19	21	52
Suicide	188	231	152	571
Total	4673	4080	4239	12992

Figure - III

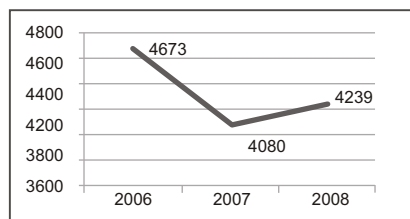


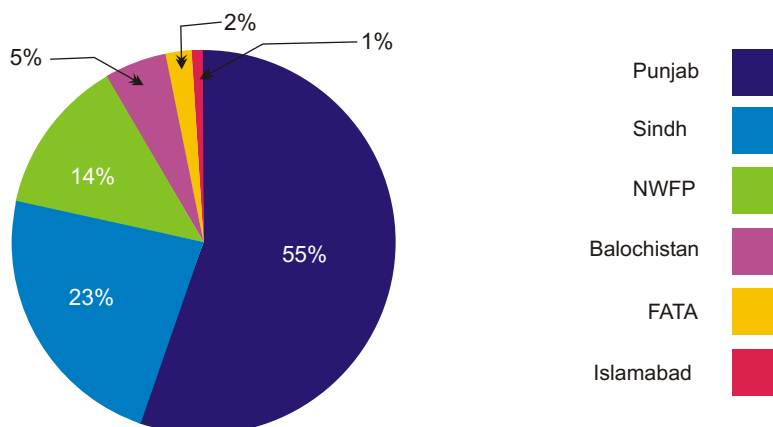


Table – I indicates that Punjab has the highest occurrence rate of VAW. It is not only that Punjab shares a highest portion in population but in VAW as well. According to *Economic Survey of Pakistan 2008-09* the average population of Punjab for the three years of 2006, 07 and 08 was 55.26% of the entire countries population (Economic Survey of Pakistan 2008-09, Chapter 12 Table – 12.7). Whereas the population of Punjab was 55.26% (Table & Figure- IV) its share in VAW was 73.47% (Table - I). Similarly Sindh with a population share of 22.93% has a share in VAW about 16% followed by the NWFP with population share 23.6% and VAW 9%. Balochistan shares lowest portion in population (5%) and VAW (1.4%) as well. This situation is contradictory to the general perception that the women's rights are mostly violated in the NWFP and Sindh.

Table IV: Province Wise Average Population of Pakistan 2006-08

Province	Average Population (2006 - 08)	Average %
Pakistan	156606666.7	100
Punjab	86529333.33	55.26
Sindh	35'910666.67	22.93
NWFP	21296000	13.60
Balochistan	7941333.333	5.07
FATA	3693666.667	2.36
Islamabad	1062666.667	0.68

Figure - III



Source: *Economic Survey of Pakistan 2008-09, Chapter 12 Table – 12.7*

The National Police Bureau official data on VAW has five major heads, domestic violence, rape, acid throwing, and suicide. Rape and acid throwing are showing an increasing trend since 2006. On the other hand the acts of domestic violence has considerably decreased in these three years (See Table -III).

## **Discussion**

### **1. Domestic Violence**

Much violence against women occurs in a place which is supposed to be the safest for them. For many, home is a place where women face terror from somebody very close to them. Domestic violence, also known as intimate partner violence, is a form of violence which occurs within the boundary wall of the home. It is a form of abusive behaviour by one or both partners in an intimate relationship. Domestic violence has many forms including physical aggression (hitting, kicking, biting, shoving, restraining, throwing objects), or threats thereof; sexual abuse; emotional abuse; controlling or domineering; intimidation; stalking; passive/covert abuse (e.g., neglect); and economic deprivation (Domestic Violence, 2010). However, measuring all forms of domestic violence in concrete terms is very difficult task. The recorded data on domestic violence includes physical abuse, such as beating, burning, murder, and others (See Table - II).

Domestic violence shares the largest part, 55.8%, in all forms of violence against women in the country (See Table - I). 69% of domestic violence occurs in Punjab followed by 16% in Sindh, 12% in the NWFP and 2% in Balochistan. Even so the official data on domestic violence is available, yet the definition in the country has to include many other facets of domestic violence into its aura.

### **2. Rape**

In criminal law rape is the forced sexual intercourse with another person without the consent of that person. It can occur at individual or group level, at work place or the streets etc. Rape includes individual rape, gang rape, custodial rape and incest rape. After the introduction of the Women Protection Act of 2006 in the country, it is difficult to distinguish rape, which is sexual intercourse without the consent of one party, from adultery, which is sexual intercourse with the consent of both parties.

Rapes share the second largest part of violence against women in Pakistan i.e. 39.4% (Table - I). 87% of all rapes occur in Punjab followed by 8% in Sindh, 4% in the NWFP and 1% in Balochistan. The low rate of rape in the NWFP and Balochistan can be attributed to their socio-cultural norms and values regarding rape. The cultural values of the NWFP and Balochistan do not allow rape. If anyone

found to be involved in rape he/she is killed in the name of honour. According to some observers, the magnitude may be greater than this but is not reported to police or media, again to strict code of family prestige, or weak position of women.

### **1. Acid Throwing**

Acid throwing is a very heinous crime against women. The purpose behind acid throwing is “to teach them [women/girl] a lesson” (Burney, 2005). In acid throwing the perpetrator throws acid on the victim thereby deforming their face, burning and damaging the skin tissues etc. Its effects involve permanent scarring of the face. The social impact of acid throwing is that the victim women remain unmarried for the rest of her life.

Acid throwing constitutes less than one percent of all form of violence against women in the country i.e. total of 52 cases during 2006-08. Yet this number can not be neglected at all. The occurrence of acid throwing is largest in Punjab, 48 cases during 2006-08 i.e. 92% of all acid throwing registered cases followed by 3 cases Sindh i.e. 6%. This is an alarming situation for the Punjab province. The people of the NWFP and Balochistan still have to learn this form of violence against women. Typically acid throwing is a phenomenon of urbanized areas. The NWFP and Balochistan are less urbanized as compared to Punjab and Sindh. This may be a reason for high prevalence of acid throwing in Punjab and Sindh which are more urbanized as compared to the other provinces. The free availability of such substances and lack of controlling policy to obtain such materials are another cause for this crime.

### **2. Honour Killing**

Honour killing is a form of violence against women in which murder of a family member, usually a woman, takes place in the name of honour. The murderer believes that the victim has brought dishonour to him or/and his family through illicit sexual relations with someone. Such murder is justified that the defence of honour is superior to everything.

Honour Killing is the most projected violence against women in Pakistan. NGOs reports indicate that only in the year 2008 total of 1,516 honour killing cases were reported for the entire country in the print media (Press Release, 2009) and 604 for the year 2009 (Press Statement, 2010). On the other hand, 22 honour killing cases were officially reported in the NWFP (See Table – II). Similarly, official record of Sindh police shows that 423 women and 209 men were killed in Sindh in the year 2008 (Shaikh, 2009). Generally, the NGOs reported figures are above the official figures but this is astonishing that the NGOs press statement has reported only 14 honour killing cases for the NWFP in the year 2009, i.e. below the official figures.

It is important to mention here the various forms of honour killing. The most common form of honour killing is dishonour to family which usually is the suspicion of illicit relations but it may extend to marriage without family consent and even divorcing husbands. A less frequent form of honour killing may be where a victim of rape is targeted as they are blamed for having brought shame on their family. Another form of honour killing where there is no issue related to so-called honour but the real motive is extortion by threatening the victim. This method is adopted by extortionists and particularly a relatively affluent but member of a non violent and weak community is targeted for this purpose. They go to extent of killing their women and declaring the targeted person as *Karo* (emphasis added) 'black male'-involved in illicit relationship with that woman, targeted as *Kari* (emphasis added) 'black female'. In order to save his life targeted person has to agree for a *Jirga* (council of local elders) and usually he pays compensation to save his life. Another category is the murders committed to settle private dispute but the declared motive is honour in expectation of lenient attitude from the police and judiciary (Shaikh, 2009). The umbrella of honour killing covers all these forms in Pakistan.

## **Constraints in Data and Investigation**

### **1. Non-Registration of First Information Report (FIR)**

The first and foremost constraint, in data collection and investigation, is that majority of the cases of violence against women go unreported to the police or reported in daily diaries of the police stations where enquiries are not made properly and the matter is generally sent to cold storage. Only serious and sensational crimes against women are reported to the police. Although VAW cases has a high tendency to be reported in the newspapers or other media, as it is obvious from clear difference between official and NGOs data, but not to the law-enforcement agencies. It was revealed in the interviews that the reason people do not report such cases, is because of dignity and shame it will bring to the family. Particularly the complainants find it difficult to report the sexual harassment cases because of the fear of embarrassment, publicity, economic vulnerability, and fear of retaliation by the accused. Further, many women refrain from reporting their cases – often due to the negative attitude of police officers. Furthermore, in the far-flung areas of the country the victim has no access to police stations or to courts. This is one of the factors which contribute to the high occurrence of VAW in the far-flung areas of the country.

For the purpose of data collection regarding VAW cases, the National Police Bureau (NPB) has established Gender Crime Centre (GCC) at federal level and Gender Crime Units (GCU) at the provincial police offices. These units still need to

be properly developed and made positively functional. The provincial police departments often don't take their instructions seriously. The Provincial GCU seems to be on paper and the one in the NPB has still not established any proper system for data collection or police trainings.

### **1. Unclear Motives Behind VAW**

Every crime has a motive behind it. The real job of the investigation is to probe into that motive. In Pakistan, however, it is one of the major constraints in investigation that the motive behind VAW is often not clear. For the most part, in cases of murder/honour killing it is very difficult to find the actual motive behind the murder. Generally, in the honour killing cases it is the husband who is the perpetrator (See Table - V). Nevertheless, the investigation officers shall not depend much on the motive for establishing a case, rather the incident happened shall be fully focussed. Sten Gun/Kalashnikov is the most widely used weapon for killing. It can be attributed to its wide spread availability in the country. It is to be noted that not only women got killed in honour killings but the men as well (See Table – V., Abdul Khalique Shiekh, 2009). Although the motive behind honour killings is not described in the official recorded data but it is a general perception that in most of the cases there is no actual base for honour killing but there are some other reasons, as described earlier, which need further research.

### **2. Non-Involvement of Women Police**

The women police force has been established in most of the districts of the country. Despite this the involvement of women police in VAW cases is negligible. Many factors contribute to the non-involvement of women police in VAW cases. Low strength of women police and lack of training in investigative skills are above all reasons for their non-involvement in VAW cases.

The development of Standard Operating Procedures (SOPs) at the federal level and circulated to the provincial police for dealing with women and investigating the crimes of VAW is a positive step in this regard. These SOPs describe the detailed procedures for dealing with women and women victims of violence etc. SOPs adopted by the NPB in April 2009 provides for the presence of women police officers at almost all the police stations with separate office, waiting room, complainant room, and interview room. Although the SOPs are a positive step but their implementation will take a very long time. Particularly, the provisions of various facilities, as identified in SOPS, demand for a huge amount of funds and capacity building of staff.

Table - V: Honor Killing Murder Cases in the NWFP for the year 2009

No. of Honour killing Murder cases in which Women Murdered (a)	20
No. of Honour killing Murder cases in which Men Murdered (b)	6
No. of Honour killing Murder cases in which both Male and Female Murdered (c)	12
No. of Women Murdered (d)	33
No. of Men Murdered (e)	18
Total Cases (a+b+c)	38
Total Person Murdered (d+e)	51
<b>RELATIONSHIP OF DECEASED WITH THE ACCUSED</b>	
a. Husband	11
b. Father	6
c. Brother	4
e. Son	1
d. Mother	1
f. Daughter	-
g. Sister	1
h. Other Relative	19
1. No relative e.g neighbour, friend, unknown person etc.	4
<b>TYPE OF WEAPON USED</b>	
i. Sten Gun/Klashnikov	17
ii. Shot Gun	2
iii. Rifle	4
iv. Revolver/Pistol	13
v. Dagger/knife	1
Vi. Hatche	-
Vii. Other Weapon	1

*Source: Office of the Additional Inspector General of Police (Investigation) NWFP, Peshawar.*

## **1. Lack of Sensitization of Police on Women Issues**

Police in the country are not properly sensitized in women issues. There is a dearth of trainings and courses in the police curriculum regarding women issues. The government has recently decided that all the laws, dealing in women issues, shall be incorporated into the police training curriculum at various tiers. This lack of proper sensitization in dealing with women gives rise to many attitudinal and behavioural discrimination problems by the police officers against victim women, thus gender biased investigation.

## **5. Low Strength of Investigation Staff**

The strength of investigation officers (IOs) at police station level is very low. There is a great deal of burden of cases on the IOs. Increasing the strength of IOs can deal effectively with the pendency issue.

## **6. Inadequate Equipments in Laboratories**

The importance of medical examination and forensic laboratories is an undeniable necessity for the successful investigation and prosecution of cases. Autopsy reports by medico-legal officers provide crucial information that can aid or hamper police investigation as well as trials in court (Shaikh, 2009). This report can turn the tables of parties involved in the cases. The problem here is that the country lacks such laboratory facilities or whatever the laboratories are available, they are under-equipped thereby creating problems for accurately measuring the nature of the case.

## **7. Problem of Eye Witnesses in Rape Cases**

Problem of eye witnesses is a big issue in all VAW cases. Its importance is further highlighted in rape cases. Rape often takes place in a private setting or when the victim and perpetrator are alone. In case there is a witness still no one dares to give testimony. Here is a problem of our culture. The witness fears taking the unnecessary burden of enmity with the perpetrator. The value of speaking and standing for the truth is a reflection of rule of law which is not an established norm in our society. Sociologists, social worker, religious scholars and psychologist can contribute a great deal in promoting these positive values.

## **8. Prosecution Problems**

Poor investigations lead to poor prosecution. Similarly, poor supervision and scrutiny by prosecution lead to faulty case-file in the court and the ultimate result of poor prosecution is the low conviction ratio, e.g. only 3.5% in the NWFP (See Table - II).

The prosecution in rape cases entirely depends upon the medico-legal report and the statement of the victim. However, the laboratories are under-equipped-a hampering phenomenon for prosecution. The problem for medical report in rape cases is that of hymen intact. It is an issue for the laboratories to prove that the hymen is broken due to rape or it has been broken long before this incident in childhood-may be a result of jumping etc.

Similarly, in kidnapping cases it is not easy to prove whether an act is kidnapping or not when the kidnapped girl/woman shows consent for going with the perpetrator. If the kidnapping has occurred with the consent of the women / girl then

the case is acquitted. This situation creates ambiguities for the researchers. The police recorded data shows a huge number of kidnapping cases whereas most of the cases of kidnapping are being acquitted by the court on the ground of consent. The biggest problem for prosecutors is in the honour killing cases. According to an interview with a prosecutor in Civil Judicial Complex Peshawar it is very difficult to prove honour killings. In most of the cases honour killing takes place with the consent of many family members and everything is pre-planned by the perpetrators.

### **1. Lack of Coordination Among Stakeholders**

Lack of coordination among stakeholders is not only a problem of criminal justice system but of the entire government machinery. In VAW cases lack of coordination among different stakeholders creates pendency and other undesirable issues.

### **Recommendations**

The authors, after thorough examination of the available material, data and reports, propose the following recommendations for dealing effectively with the VAW cases.

About half of the VAW cases go unreported to the police. Keeping this fact in view the police should ensure easy and immediate availability of services to the victim women, and respect and protection of women seeking police assistance. This increasing respect and easy availability of policing services will increase reporting of VAW cases to a considerable extent.

In our society it is observed that the police are not properly trained on women rights, issues concerning women and in handling the cases of violence against women. Therefore it is strongly recommended that police should be sensitized and given technical training in VAW cases. At least two IOs at each police station must be trained and sensitized in women issues.

The Standard Operating Procedures (SOPs) developed by National Police Bureau article 1.3 enlist a comprehensive procedure for dealing with VAW cases. A few of them are restated below;

- i. SOPs demands for establishment of separate *Ladies Complaint Unit* (LCU) at each and every police station level. This unit will have at least three rooms; waiting room, complaint room and interview room. The duty of the constable at the reception at the police station is only to guide victim women and her family to the LCU. The LCU will have an ASI or above as a Victim Support Officer (VSO) who will be trained in dealing of women



victims and victim support services. The VSO will have knowledge and information of all the support services available in the community (shelter, legal aid, NGOs offering psychological counselling, medical help etc).

- ii. The domestic violence cases shall preferably be dealt with the principles and processes of Restorative Justice and mediation.

It is to be noted that these SOPs still await practical implementation. There is no institutional supervision by NPB for the practical implementation and monitoring of these SOPs. Similarly there are no funds for these SOPs. Though a good effort academically, yet it seems to be a wish-list which is generally sent to the public institutions from NGOs and donors.

The NWFP Police have initiated two new data collection registers at the police station level, one for crimes against children (26-A) and other for violence against women (27-A). Unfortunately, only one register (26-A) created data on juvenile justice indicators due to the support from Save the Children, Sweden. Police were trained for this purpose. No big donor or organization did the same for generating data from the other register (27-A), whereas the police have no resources for that.

The SOPs article 1.3.1.5.1 clause VII states that the Station Head Officer (SHO) shall help in domestic violence cases and shall involve the family elders in dispute resolution. However, if the entire family itself is hostile towards the victim how can SHO use alternative dispute resolution mechanism? In such cases proper Women Protection Centre, with all facilities and security, should be established in all districts, starting from all the big cities of the country. The existing Child Protection Centre by the NWFP Police can serve as a model for the establishment of Women Protection Centres.

For the successful investigation of VAW cases the investigation officer accompanied by a female constable shall visit the place of incidence. The statements of children should be given due weightage in domestic violence cases.

A Complaint Cell shall immediately be established under SP investigation at district level. The complaint cell will receive complaints against attitudes of the police officers towards women victims (Article 1.3.2 clause V of SOPs).

All the Divisional Police Officers (DPOs) shall conduct *Open Courts* (emphasis ours) at all the villages under their jurisdictions respectively. In such open courts special emphasis should be given to the women cases giving a message to the community that VAW is a special crime. This will fulfil three

dimensional objectives. First, the community will realize that the police do care about the people and their security. Second, the police itself will know what types of cases often go unreported. And last, any community message can be delivered through this mechanism and any awareness campaign can be run by the police.

It is observed that medico-legal examinations are frequently performed in a haphazard manner which lead to failure in securing meaningful evidence and produce unreliable data. It is therefore recommended to impart proper training to those doctors assigned with medico-legal duties to secure meaningful evidence and to secure reliable data.

The conviction ratio is very low (Table - II). Conviction of the offenders depends upon successful prosecution. The prosecution, on the other hand, depends upon successful investigation of IOs. The police investigation should not limit itself to the arresting of the accused and recording of the evidence. On the contrary the police must uncover the real motive behind the violent act and arrest those who have contributed some sort of assistance in the act.

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