

Domestic Violence in China: Research, Intervention and Prevention

Newsletter

Issue Five

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About the Newsletter

As usual, the present Newsletter is a new issue of the bi-monthly publication of the project *Domestic Violence in China: Research, Intervention and Prevention* (hereafter sometimes referred to as the "anti-domestic violence project"). An abstract of the Newsletter in English is available. Generally, the Newsletter includes:

- 1) Briefings on meetings, seminars, workshops, visits and other events;
- 2) Exchange of experiences; comments and observations of project participants;
- 3) Theoretical reflections upon research methods, concepts and gender-related viewpoints;
- 4) Legislative research, including problems with present legislation and legislative suggestions
- 5) Information and materials from abroad;
- 6) Suggestions, including analysis of problems and recommended solutions;
- 7) Responses to suggestions.

The Newsletter is intended to be a channel through which the project network partners can share ideas and results, take part in decision making, monitor project management, supervise project implementation and urge more participation in project work.

Contribution of papers, ideas, suggestions and other involvement in our project are warmly welcome.

We wish to thank the Ford Foundation, the Netherlands Organization for International Development Cooperation (NOVIB), the Swedish International Development Cooperation Agency (SIDA) and Oslo University in Norway, who have contributed funding for the project, including the publication of the Newsletter.

The Newsletter is distributed among all project participants, relevant organizations, agencies and departments free of charge.

Sponsor: China Law Society Project Group *on Domestic Violence in China:
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Editing Organization: Resource Center of the Project

Editor-in-Chief of the Newsletter: Professor Chen Mingxia

Deputy Editors-in-Chief of the Newsletter: Professors Huang Lie Wang Fengxian

Tel: 6613-4488, x1227; 6651-4694;

Fax: 66514693

Email: dvrp@163bj.com

Address: Office Building of China Law Society,
No. 63, Bing Ma Si Hutong, Xicheng District,
100034 Beijing, China

Briefs on Recent Activities (by Liu Xiaojuan)

1. Evaluation of the project by foreign experts was conducted for two weeks beginning February 19, 2001.

From 14:00 to 18:30 on February 19, 2001, the Project Evaluation & 4th Project Network Conference was held in the multifunction hall of the China Law Society (CLS) office building. Experts from sponsoring organizations attended the conference and met all network participants and directors of all subprojects.

On February 28, 2001, a discussion on the project evaluation report was held. Among those present were officials from the Swedish Embassy in China and other foreign friends.

2. From March 10 – 16, 2001, the sub-project of Judicial Survey and Research organized a questionnaire in Liaoning province. 1,080 completed questionnaires were collected from people including judicial officials and workers at the provincial, city and county level of Liaoning.

3. A training workshop on gender and domestic violence sponsored by the British Council and jointly organized by the British Council and the CLS DV Project Management Committee was held on March 17 – 18, 2001. Two distinguished experts from organizations that take a multi-agency approach were invited to give lectures on British practices and experiences in combating domestic violence.

4. On March 22, 2001 the All China Women's Federation and the United Nations Development Fund for Women jointly organized the "White Silk Ribbon" program in order to raise awareness of society's responsibility to curb domestic violence. As an internationally recognized initiative, wearing a white silk ribbon indicates a promise by the wearer neither to commit domestic violence nor keep silent upon witnessing domestic violence offences. Professor Chen Mingxia and other project officials from the CLS DV Project Management took part in the program.

5. On the afternoon of March 25, 2001, an expanded meeting of the DV Project Management Committee was held. In addition to Committee members, directors of all sub-projects who requested an increase in funding were present. It was agreed to maintain compliance with the budget already presented to foreign sponsors. Future applications for funding might be revised after consultation with sponsors.

6. On April 9, 2001, 12 officials from charity organizations of the Netherlands, the U.K., and the Hong Kong SAR came to inspect the anti-domestic violence project and visited Tieying Hospital, which has been selected to pilot a community medical intervention sub-project.

7. On April 10 – 12, 2001, the Pilot Rural Community Intervention Sub-project members visited the Women's Legal Aid Center of Qianxi County, Hebei Province to study the so-called Qianxi Model of Women's Protection.

8. On April 15, 2001, the Pilot Urban Community Intervention Sub-project conducted anti-domestic violence publicity activities on You'anmen Street in Beijing's Fengtai District aimed at creating a favorable social environment for the operation of the sub-project.

Exchange of Experiences

Combating domestic violence requires the involvement of the whole society (by Luo Lanlan)

On March 17 – 18, 2001, over 60 women experts and social workers from the U.K. and China attended the "Domestic Violence Intervention Training." Although they spoke different languages, participants reached a surprising amount of consensus on domestic violence issues. It is widely held that control of domestic violence necessitates a multi-agency approach.

A British expert from the city of Leeds pointed out that women have nearly a dozen concerns that need to be addressed in situations of domestic violence, including personal safety, financial support, employment, housing, medical service, and raising and educating children. The involvement of different agencies is necessary to solve these problems.

In Leeds, domestic violence has been a social concern since the 1960s. It was not until the 1980s that government agencies began to recruit professional social workers for women's protection. A multi-agency mechanism was then gradually developed with participation of the police, schools, housing administrations, and medical services.

The first objective of a multi-agency approach is to assist all partners in providing effective and expedient services and assistance to women and children. With this

purpose in mind, partners are helped to make proper policies, develop effective practices, organize workshops, meetings and forums, design and conduct a series of training courses and provide necessary information. The importance of training is stressed. One objective of training should be to change women's negative conception of themselves and their social status. It is especially necessary to challenge society's traditional acquiescence of men's violence.

There is a special domestic violence tribunal in Leeds that accepts DV complaints and punishes DV offenders. This institution also helps social organizations cooperate in charging DV offenders and supporting DV victims. With a special DV tribunal, DV cases can be evaluated and classified, and social workers can thus be better prepared when appearing in court to support female victims.

The Program of DV Intervention Training was sponsored by the British Council and jointly organized with the CLS anti-domestic violence project.

Learning to be a trainer (by Qiao Yang)

As a social worker, I took part in the Intervention Training and the Trainers training courses jointly organized by the British Council and the CLS anti-domestic violence project. It was really a challenge for me to learn to be a trainer. I participated in courses on March 23 and 24, 2001, where I learned training strategies and skills.

I found the training workshop a very exciting experience particularly because it provided participants with opportunities to practice the role of a trainer. I felt so nervous when it was my turn to lecture as a trainer that my face blushed and my heart beat fast. Thanks to preparation, I did not perform poorly at the workshop. I found that a trainer should always be prepared to meet new challenges, since each time you work as a trainer you are faced with new trainees, new problems and unexpected questions. I also believe that cooperation among trainers is very important. With another two or three trainers forming a team, you can have more confidence in yourself because assistance from others is available. I especially felt that the quality of the trainer is the most important factor in the process of training. The attitude of respect and acceptance of trainees is also a factor that may have much bearing on the participation of trainees in training courses. With such an attitude, effective communication can be established between the trainer and the trainees.

After two days of the training workshop, I felt that I had begun an adventure of

climbing a high mountain. I have to climb step by step, with each step a process of learning and overcoming difficulties. But I am fully confident that I can reach the peak of the mountain and be a qualified trainer.

A brief on the Mass Media Network Conference (by Cai Yiping)

On the morning of March 30, 2001, the Media Advocacy Networks Sub-project held a conference on the second floor of the *China Women's News* office building. Attendees included officials and reporters from the *People's Daily*, the Beijing People's Broadcasting Station, the *People's Court* newspaper, *Women of China* magazine (English), the Xinhua News Agency, the *Legal Daily*, the *Prosecution Daily*, *China Youth News*, the *Farmers Daily*, and the legal assistance department of *China Women's News*.

Ms. Cai gave an update on the achievements of the Media Advocacy Sub-project. Ms. Luo Lanlan discussed the training program jointly organized with the British Council. Ms. Li Xing introduced to delegates her experiences and observations from the conference Guidelines for Mass Media Reporting on Domestic Violence and Gender Awareness held in Manila in February of this year. An important point that was made was that without a correct gender conception, the mass media tend to produce reports that are unfair to women, especially when rapes and other offensive actions with women victims are reported. Women are likely to be blamed for their "bad background."

The conference also called attention to recent reports by newspapers and magazines in China that tend to exaggerate female sexuality.

Delegates put forward a great deal of suggestions and recommendations for compiling a proposed Handbook for Mass Media Intervention into Domestic Violence. They believed that such a handbook should serve as an instructive reference that uses simple language to cover both theories and cases analysis. It should also be acceptable to mass media workers.

All delegates showed strong interest in the topics of the conference, and it was decided that such a conference should be held regularly with hosting organizations rotating among network partners. The subject of the next conference will be "How can the Mass Media Intervene in Domestic Violence through Reporting on Domestic Violence Cases?"

A brief on urban community publicity activities on You'anmen Street

In order to raise residents' awareness of domestic violence, the Pilot Urban Community Intervention Sub-project conducted anti-domestic violence publicity activities on Beijing's You'anmen Street on the morning of April 15, 2001. Such activities are believed to help create a favorable social environment for the future operation of the pilot sub-project within the intervention community.

Activities included:

- a. community residential committees putting posters on blackboards;
- b. organizing yangko (a popular rural folk dance) and distributing handbills;
- c. officials from local police, court, women's federations, and medical service agencies as well as marriage law experts and psychological experts were present for consultation with passers-by and local residents.

The whole morning of April 15, 2001 saw You'anmen Street bustling with activities. Flags were fluttering. Drums were rumbling. The drums core of the local primary school and the residential elders chorus all gave performances to demonstrate their support to the anti-DV campaign. Senior officials of the Beijing Fengtai District government, Fengtai District Women's Federation, Street Police Station, Street Women's Federation and the District People's Court all came to participate in the publicity activities. Experts and staff workers of the sub-project were especially busy receiving people and answering questions and inquiries.

The DV publicity program turned out to be a great success. More than 1,600 copies of brochures and handbills were distributed. 35 information blackboards were displayed along the street and 27 posters were hung on the street alley.

The activities received wide attention from the mass media and were covered by CCTV, *Women of China* magazine, *China Women's News*, the *Legal Daily*, the *People's Court* newspaper and the Beijing People's Broadcasting Station.

Legislative Update

Liaoning Province policy circular on domestic violence

Regulation on Prevention and Control of Domestic Violence

(Jointly promulgated by the Liaoning Province Higher People's Court, the Province Procuratorate, the Province Public Security Bureau, the Province Judicial Bureau, the Province Office of Comprehensive Control of Social Order and the Province Women's Federation)

The present regulations are promulgated with the aim of protecting the personal rights of citizens within the family, promoting family civilization and harmony and safeguarding family and social stability.

All state organs, social organizations, enterprises, institutions and self-regulatory organizations in urban or rural areas shall share common responsibility to prevent and control domestic violence. No person or organization may stop short of action by using the excuse that it is a "family dispute."

Women and Children's Work Committees at different levels of people's governments shall be responsible for coordination, instruction and supervision of implementation of the Regulations within corresponding jurisdictions.

Township people's governments, street offices of township governments, villagers committees and urban community residential committees shall stop and mediate in domestic violence offences in a timely manner and prevent family disputes from escalating.

State organs, social organizations, enterprises and institutions shall respond to DV complaints. The work unit to which the offender is attached shall admonish and educate the offender and may impose administrative discipline according to relevant law or policy.

The public security organs shall take DV complaints seriously and conduct investigations for a resolution. Where DV offences constitute a crime, criminal investigations shall be conducted. Where DV offences constitute a light criminal violation, relevant materials shall be transferred to the people's court. Where DV offences deserve penalties under social order regulations, penalties shall be imposed accordingly.

For DV offences that can be prosecuted privately, the victim has the right to sue with the people's court.

Where DV cases escalate and lead to serious consequences, those people who are directly responsible for handling DV cases shall be subject to administrative discipline for negligence.

Case Analysis

She should not be sentenced to the death penalty (by Yu Rong)

Ms. Li was only 19 years old when she married Ge. Li was soon to find the marriage a great mistake, for Ge regularly beat her. Many times she was beaten black and blue all over her body. Passers-by often found Li sitting on her knees outside her house crying for help. In January of 1997, Li divorced her husband despite the fact that this meant giving up all family property and supporting two children on her own. After the divorce, Ge still raped and beat Li.

With the continuous persuasion and urging of relatives, Li gave in and remarried Ge, who promised in writing not to beat her. Nevertheless, the beating continued as before. Eventually Li sued Ge for damages and divorced him a second time. Afterwards, Ge regularly called Li and harassed her over the phone. He also appeared outside her house with some rogues. Once Li was even detained by Ge in a hotel for as long as a week and was repeatedly raped and beaten. It became very clear to Li that she had to make a decision whether to kill Ge or sooner or later be killed by him. On May 18, 1999, Li invited Ge to her house and killed him with the assistance of two other relatives, including her father. She and her father were soon sentenced to death with a suspended sentence.

A large number of local residents and Li's relatives complained about the sentence and called for redress. The Beijing University Center for Women's Legal Aid and Services presented the case to the local women's federations and organized the mass media to intervene. Beijing TV reported on the case in detail and the case gained widespread attention. The well-known family law professor and vice president of the China Law Society Wu Changzhen expressed her willingness to provide legal aid to Li.

The case was appealed to the court of the second instance. Li's lawyers presented the following arguments to the court panel:

- 1) The murder of Ge took place under special circumstances. Over the years Li's

complaints were not taken seriously either by the local police or by the court because they were regarded as a family matter. It was after years of torture, humiliation and threats that Li chose to kill Ge for the purpose of self-defense.

2) Li was regarded by the whole neighborhood as a very kind person. The murder was not ascribed to a malicious intention.

3) The criminal law stipulates, "for intentional murder – where circumstance is rather slight – a sentence of less than 10 years may be rendered."

After a relatively long court proceeding of the second instance, the final decision was proclaimed by the court: "As the victim (Ge) also partially contributed to the offence due to serious faults on his part, Li's arguments for the appeal are accepted. The original sentence of a suspended death penalty is changed to 15 years imprisonment with political rights deprived for five years."

We have taken concrete actions (by Liu Baozhen)

I was a doctor at Tieying Hospital, which has been selected as the location for the Pilot Medical Intervention Sub-project. Having personally participated in several DV training courses, I have begun to view DV from a new perspective and have acquired a strong sense of responsibility to take part in DV interventions.

On January 16, 2001, I received a female patient named Yu. I was soon to find her a victim of DV according to my years' experience as a doctor. I treated her with special care and skills that I have learned through DV training programs.

Yu comes from Hebei Province but lives in Beijing's Fengtai District. She was married to a divorced man who had a 10-year-old son with his ex-wife. When Yu became pregnant, her mother-in-law and other family members strongly opposed the birth of a new baby. She was abused by her husband. One day she was beaten with bruises all over her body and fainted. When she woke up, she was found to be a mute.

I made a careful examination and found that the patient suffered from hysterical aphasia. I explained to the patient and her husband that Yu's aphasia was due to excessive rage, worry or sorrow under DV situations. I strongly condemned Yu's husband for his offence and brutality and lectured him about the consequences of domestic violence. I also told Yu that Tieying Hospital was a selected hospital for a medical intervention

program and would do everything to help her and her baby. Yu's husband looked sorry and began to express tenderness towards his wife.

After two hours of hard work, Yu broke out in a cry " I am well. I am well." Yu was so thankful to me that she burst into tears and repeatedly expressed her gratitude. I was very satisfied and pleased that what I had learned from the domestic violence intervention project really contributed to my work and my service to my patients.

International and Domestic Experiences

Representation at an international exchange program (by Bu Wei)

On November 20 – 29, 2001, I joined the All China Women's Federation delegation to Thailand and studied the situation of domestic violence in Thailand.

Combating domestic violence against women: Police training program (by Qi Xiaoyu)

As a coordinator of the Beijing Pilot Urban Community Intervention Sub-project, I participated in the training workshop for trainers on gender and domestic violence, which was organized in Xi'an by the Shaanxi Association of Research on Women, Marriage and Family. The course was designed to teach participants how to conduct training for police so as to raise their awareness about domestic violence and help them adopt a more active attitude towards intervening in domestic violence cases.

I was very much moved by the director of the Shaanxi Association of Research on Women, Marriage and Family, Ms. Gao Xiaoxian, and her colleagues, who have devoted themselves to protecting women from domestic violence. We were also deeply impressed by the way the training course was conducted. There was a performance of a short play, which was based on women's experience of domestic violence and seeking assistance from different organizations. Most of the actresses were professional teachers working in Xi'an who volunteered to perform during the training. Their performance was so convincing that the audience clearly saw how a victim of domestic violence, after having been physically abused, could become disappointed, helpless, desperate and even hysterical after repeatedly being denied assistance from different organizations they approached for help.

Police officers are usually skeptical about any lectures on police work. But when they watched the play, they were obviously moved and impressed by how serious a problem

domestic violence is and how unfairly women victims are treated when they approach different organizations for help. I believe the Xi'an training workshop was a great success.

Prevention and control of domestic violence for the protection of women's physical and mental health: The Anshan experience (by the Anshan Women's Federation)

In 1997, the Anshan City Women's Federation established an anti-domestic violence association, which has launched research and preventive measures.

Background

During the entire year of 1996, women's federations above the county level in Anshan city received 397 cases of domestic violence complaints. In most of the cases, women were physically injured and some even seriously injured. Such offences severely affected the physical and mental health of the women. Some women even sought revenge by criminal means after a long history of suffering abuse. Statistics showed that domestic violence had become a major reason for divorce. Among the 439 divorce decisions made by the Tai'an County Court, 196 were directly related to domestic violence, accounting for 44%. Domestic violence also seriously affected the welfare of children. It was found that 30% of the students in Haicheng Juvenile Rehabilitation Center were children of divorced parents.

A survey conducted by the Anshan City Women's Federation found that though domestic violence might have a long history and is rooted in feudalistic ideologies, the failure to control it is rooted in a lack of social consciousness about domestic violence. In early 1997, a meeting on domestic violence was organized and was attended by the women's federation, the police, the procuratorate, the court, the ethical civilization office, the civil affairs bureau and the trade union. The idea of setting up a domestic violence association was advocated and supported by all organizations present at the meeting.

The overall objective of the Anti-Domestic Violence Association is to prevent and control domestic violence by making measures, coordinating work between different organizations and developing mechanism to handle domestic violence cases.

In its preliminary stage, the Association made publicity of domestic violence a priority. In recent years, the Association has developed training courses on law and has trained

more than 10,000 women in legal protection. At the same time, the Association has mobilized different mass media to widely and continuously publicize information about domestic violence. For example, a program, "Dialogue on Domestic Violence," was developed by the city TV station. The Anshan *Daily News* started a column called "Let Women be Free from Domestic Violence." Statistics revealed that over 100 papers on domestic violence have been publicized. The Association successfully made domestic violence a focus of attention of the whole city. At the same time, the Association also worked hard to provide assistance in handling individual cases and helped women victims of domestic violence.

Suggestions and Responses

Catalogue of foreign publications already translated into Chinese

What is domestic violence?

Why does it happen: attitudes and explanations

Policing domestic violence: Crime prevention and the public/private divide

Legal remedies and the court system

Protecting battered women: Latest trends in civil legal relief

Domestic Violence: The criminal justice response

Domestic violence and law report of the colloquium on justice for women-empowerment through law

Human rights of women

Increasing the Project Management Committee membership in order to strengthen the Committee's work

It has been decided that the CLS Domestic Violence Project Management Committee should introduce more members in order to strengthen management and more effectively respond to changing situations as the project progresses. The work should be

finished in May of 2001.

Soliciting written suggestions for improving the Project's work