

Domestic Violence in China: Research, Intervention and Prevention

Newsletter

Issue 11

Contents

1. On March 4, 2002, the Hengyang City Women's Federation of Hunan Province and the Hengyang City Intermediate People's Court, both of which are organizational members of the Domestic Violence Project Network, jointly inaugurated the "Center for Medical Appraisal of Injuries from Domestic Violence."

2. On March 22, 2002, the 4th NPO Forum on the "Mass Media and NPO: Dialogue and Interaction" was convened at the Beijing Ziyu Hotel. The anti-domestic violence project was represented by Ms. Bu Wei of CASS' Institute of Journalism and Communication. Ms. Cai Yiping, another network member, was also present.

3. On March 27, 2002, the sub-project group of Beijing's Yanqing County organized a training workshop on multi-agency cooperation and gender consciousness. Over 40 trainees participated in the training course. They came from different local organizations including public security, the procuratorate, the courts, the judicial bureau, the educational bureau, the health bureau and residents committees. Chief magistrates from two local towns, Kangzhuang and Xiangying, were also present.

4. The Project Management Committee convened on the evening of March 28, 2002 and deliberated over the following issues:

1) 2001 financial matters; 2) a 2002 working plan and personnel and administrative changes in the project general office; 3) publication of the supplementary issue of the journal *Democracy and Law*; 4) major topics for the 9th Domestic Violence Network Conference held in mid-April of 2002; it was decided that the focus of the conference should be on discussion of project participants' reports of their recent international visits and project financial matters; 5) a proposed international conference on domestic violence; it was decided that the conference be scheduled for mid-November of 2002; 6) major activities of the project survey group in the year 2002.

5. On April 1, 2002, a follow-up visit to Beijing Yanqing County was paid by Dr. Maria Cheung and Dr. Heinonen from Canada's Manitoba University, Professor Chen Mingxia, the Project General Coordinator and the Pilot Rural Community Intervention Sub-project director Ms. Zhao Shuhua, who is also the Deputy Director of the Beijing Women's Federation Women's Protection Department. The visiting group agreed that the sub-project should focus on improving women's employment skills, offering more resources and providing more training in law, psychology and sociology.

6. From April 5 – 6, 2002, the Liaoning Province Public Security Bureau and the Liaoning Province Women’s Federation jointly conducted a training workshop on gender and domestic violence. Over 120 police officers from more than 100 counties and districts of 14 cities within the province received training.

7. On April 9, 2002, a “Domestic Violence Prevention and Control Team” was put together in the Hetang District of Zhuzhou city, Hunan Province. Since then, serious domestic violence has been effectively reduced and brought under control. In addition, the Hetang District has also set up six Domestic Violence Prevention sub-stations and a Women’s Support Fund, which includes a women’s protection network with police support.

8. On April 19, 2002, the 9th Domestic Violence Project & Network Conference was held in the multi-function hall of the China Law Society office building (it was the 1st conference of the year 2002). Project directors Rong Weiyi, Han Yucheng, Qiao Yang, Li Hongtao and Liu Meng each gave reports on their recent visits to Indonesia, Denmark, Norway, Thailand, the United States and Australia. The Project Management Committee then presented a financial report and working report of both the general project and each sub-project for the year 2001.

9. In May 2001, the Dezhengyuan Community of Dongtundu Street, Furong District in Hunan’s Changsha City began operating the “Zero Domestic Violence Community” program as part of the comprehensive social security control and as a component of the overall program for construction of a civilized family and community.

10. Zhenzhou City Women’s Federation, Henan Community Education Research Center and Zhenzhou City Law Society jointly established the Zhenzhou Anti-domestic Violence Network as a local branch of the National Anti-domestic Violence Network initiated by the China Law Society.

11. The Ningxia Hui Autonomous Region Women’s Federation, a local member of the National Anti-domestic Violence Network, submitted a report on its work against domestic violence in the year 2001. During the whole year, the Ningxia Hui Autonomous Region Women’s Federation received a total of 4,427 written complaints and personal visits. Of these, 2,528 were related to family and marriage disputes (accounting for 58.3% of the total), and 543 concerned domestic violence, (accounting for 21% of the total).

(by Liu Xiaojuan)

Exchanges of Working Experiences

The Pilot Rural Community Intervention Sub-project Working Meeting

On January 7, 2002, the Yanqing County Anti-domestic Violence Multi-agency

Cooperation and Coordination Team called a working meeting for the Pilot Rural Community Intervention Sub-project. In attendance were sub-project participants, officials from the police, procuratorate, courts and judicial administration, as well as officials from 15 local township women's federations and women's departments of local government bureaus and companies.

In her speech, Ms. Sheng Guirong, chairwoman of the Yanqing County Women's Federation, fully commended the work of the sub-project over the year 2001 and detailed the sub-project work plan for the year 2002.

Vice Chairwoman of Beijing City Women's Federation Ms. Rong Hua was present and gave a keynote speech on future work of the sub-project. The key goals included: (1) reaching a common understanding of the danger of domestic violence for both families and society; (2) strengthening leadership and involvement of local government in the project and improving cooperation and coordination among government agencies; (3) streamlining different organizations to improve performance of social protection and support networks; (4) to maximize the role of experts and scholars in "law awareness building lecture teams" so as to have regular and standard law education that will lead to positive protection instead of passive response.

(by the Yanqing County Anti-domestic-violence Project Office)

"Zero Domestic Violence Community" Program initiated by Yanqing Non-staple Foodstuffs Company

Our company has a total of 495 employees, of which 322 are women, accounting for 65% of the total. As the ideology of equality between men and women as a basic state policy has been widely advocated, domestic violence has been sharply reduced but still has not been completely eliminated. Since beginning the "Zero Domestic Violence Community" program, we have expanded law awareness education to include domestic violence and have worked together with the local county Women's Federation. A Legal Advisory Office was recently set up in our company, and 15 female employees have sought legal advice from the office.

In addition, the Company Communist Party Committee has actively organized education on domestic violence, which helps female workers understand their rights and discourages male workers from assuming a superior attitude towards women.

As part of our legal awareness building program, the company has pledged "to strengthen gender consciousness, control domestic violence and promote equality between men and women." Since prevention of domestic violence has been listed as an important goal of the company, different departments of the company are obliged to work toward achieving this objective. Furthermore, a preventive strategy has been

adopted which highlights mediation, check-ups and coordinated efforts.
(by Duan Minglian, Chairwoman of the Women's Federation of Yanqing County Non-staple Foodstuffs Company)

Exchange of Working Experiences of the Anti-domestic-violence Network

Gender and domestic violence training program for police

In accordance with the Liaoning Province Regulations on Prevention and Control of Domestic Violence, from April 5 – 6, 2002 the Liaoning Province Public Security Bureau and the Liaoning Province Women's Federation jointly organized a training workshop on gender and domestic violence in Ningda Hotel of Shenyang City. Over 120 police officers from more than 100 counties and districts of 14 cities within the province who are working on the frontline of domestic violence control received the training.

The workshop started off with two lectures on gender and domestic violence given by Li Hongtao of the China Women's Institute and Rong Weiyi of the China Public Security University, both of whom are PMC members. The lectures were followed by a series of participatory training activities and a ceremony for participants wearing a "white silk ribbon." Police officers from Shenyang City, Jinzhou City, Fuxin City and Anshan City Lishan District Shennan Police Station briefed the audience on their experience in preventing and controlling domestic violence. Feedback on the workshop revealed that the workshop was necessary for improving understanding of the harm caused by domestic violence and of police responsibility in controlling domestic violence. Hope was expressed that more workshops could be conducted to train more police.

(by Liaoning Province Anti-domestic-violence Network)

The Role of the Women's Protection Network in developing a "Zero Domestic Violence Community"

Editor's Note: The "Zero Domestic Violence Community" program initiated in Furong District of Hunan's Changsha City was introduced in the 6th issue of the Project Newsletter. The following is an update on concrete implementation of the program in Furong District's Dezhengyuan Community of Dongtundu Street.

Located in an area bordering central Changsha and its suburbs, the Dezhengyuan Community was given its present name in September of 2000. The whole community is 0.28 square kilometers and has nearly 2000 households with a population of over 6,300. About 2,000 residents are temporary, including farmers whose residences have been transferred here from city construction sites, immigrants from other places, and employees and businessmen who have rented houses in this area. With a complex population structure and a diverse social background, the community is typical of

communities with domestic violence.

The “Zero Domestic Violence Community” project began operating in May 2001 and was designed as part of the comprehensive public order control program. Positive effects have been seen in the first year of the project, such as the following:

1. Improved women’s and children’s protection network

First, a women’s and children’s work guiding team and a “Zero Domestic Violence Community” project management team were established. Second, a women’s and children’s protection station was set up. Third, a rights protection liaison team was constituted. Fourth, a “domestic violence complaints receiving office” was established by the street police station and the community police office.

2. Introducing the “Zero Domestic Violence Community” project into the comprehensive public order control program.

It is understood that a “Zero Domestic Violence Community” could not be developed independently. It is essential to have such efforts included in the overall public security control program and as an important component of the “civilized family,” “civilized community” and “distinguished family” campaigns so that development of families and the community could be mutually supportive.

3. Extensive publicity, education and training

4. Concerted and coordinated efforts of protection networks for a comprehensive approach in addressing domestic violence

5. Follow-up visits and check-ups for protection of women’s and children’s rights

After family disputes or family violence is settled through mediation, the community protection office will follow up by having a liaison worker or a “distinguished family” within the community form a partnership with the family where the dispute took place in order to monitor development of disputes and continue protection work. The operation of the “Zero Domestic Violence Community” has greatly reduced occurrences of violence. There were only 10 family disputes last year and only 4 of them were domestic violence. In all of these cases there was intervention and mediation.

We believe that the Dezhengyuan Community will make further progress through the “Zero Domestic Violence Community” project.

(by the Dezhengyuan Community)

Notice of Hunan Province’s Loudi City on Establishment of an Anti-domestic Violence Network

(Jointly issued as No. 106 Public Security Document, 2001 by the Loudi City Public

Security Bureau, the Loudi City People's Procuratorate, the Loudi City Intermediate People's Court, the Loudi City Judicial Bureau and the Loudi City Women's Federation)

To all public security bureaus, people's procuratorates, people's courts, judicial bureaus and women's federations of all counties, cities and districts of Loudi City:

In accordance with the Decision of the Standing Committee of the 9th Hunan Province People's Congress on Prevention and Control of Domestic Violence (hereafter referred to as the Decision), and in order to effectively protect women and children, safeguard social stability and promote construction of the "two civilizations" (both physical and spiritual), all public security bureaus, people's procuratorates, people's courts, judicial bureaus and women's federations of all counties, cities and districts of the city should establish an anti-domestic violence network. The following is a notice of relevant regulations.

1. Fully understand the importance of anti-domestic violence work

It is the whole society's responsibility to prevent and eliminate domestic violence, establish healthy and civilized family relations and safeguard social stability. Public security bureaus, people's procuratorates, people's courts, judicial bureaus and women's federations at all levels should list ending domestic violence as an important agenda item. While extensive publicity and education should be conducted to improve citizens' awareness of the law, effective preventive mechanisms should also be developed to prevent and control domestic violence and to crack down on offenders according to the law.

2. Establish an anti-domestic violence network at every level

All public security agencies at every level – county, city and district – shall set up the "110 hotline for reporting domestic violence." All people's courts should set a date to hear any domestic violence suit in a timely manner. Judicial administrative agencies and women's organizations of counties, cities and districts should all establish "legal service centers for domestic violence victims." All forensic institutions affiliated with public security bureaus, people's procuratorates, people's courts and judicial bureaus of counties, cities and districts should open "domestic violence injuries appraisal offices."

3. Clearly specify functions of different agencies

All agencies that receive and handle complaints and all legal aid centers should record any reports, complaints and correspondence on domestic violence cases in a timely manner. They should warmly receive visitors who wish to report, prosecute, charge and accuse domestic violence offenders. They should ask questions and write down

details in order to clearly understand each case. Visitors should never be refused or turned down with the excuse that it is just “a family dispute.” A “green channel” should be established for reports, complaints and correspondence of domestic violence cases.

Criticism and education should be offered to offenders who have committed acts not serious enough to constitute a legal offence, and such cases should be transferred to judicial mediation agencies for settlement. Those offences that are not serious enough for criminal prosecution should be handled according to the Regulations on Public Security Administration and Penalties or be handled according to disciplinary rules from judicial recommendations. Cases that are serious enough for criminal prosecution in terms of circumstances and damages should be registered for prosecution. Investigation and collection of evidence should be carried out in a timely manner, and the offender should be dealt with according to the law.

Public security agencies receiving domestic violence reports should immediately send police officers to the site and once convinced of sufficient evidence should not delay in charging the offender. Prosecution agencies should file public prosecution briefs and the courts should register, hear and decide domestic violence cases in a timely manner. All forensic institutions should give priority, and render preferential or “free of charge” treatment, for determination of injuries to victims of domestic violence. Judicial administrative agencies, law firms affiliated with judicial agencies and legal aid organizations at all levels should provide legal aid to victims. All women’s organizations and women service workers should offer service and assistances to victims when receiving complaints or visiting complainants, and should assist, cooperate with and urge the public security organs, prosecution agencies, the courts and the judicial departments to crack down upon domestic violence offenders according to law.

4. Time requirement

All public security bureaus, people’s procuratorates, people’s courts, judicial bureaus and women’s federations of all counties, cities and districts of the city should effectively carry out the Notice and establish anti-domestic violence networks as stipulated. All networks should begin operation before the date of March 30, 2002 and should create public hotline numbers for reports and complaints of domestic violence. By the second season of the year 2002, a follow-up should be organized to determine the progress of all networks and results of the follow-up should be publicized.

Forensic Analysis of 18 Women Victims of Domestic Violence

The paper discusses characteristics of female victims of domestic violence from a forensic perspective in order to provide some references for effective protection of women from domestic violence.

1. Source of cases

The 18 cases have been selected from the 22 cases of domestic violence victims whose injuries have been examined by the Forensic Clinic of Shangrao County People's Court from January of 1999 to June of 2001.

2. Results

a) General situation: All 18 injured victims are married women. Half are aged 25 to 30 years old, and the other half are aged 30 to 37 years old;

b) Time of injury: Most of the injuries were caused by violence in the evening;

c) Perpetrators of violence: The injuries of all 18 victims were caused by their husbands;

d) Instruments used: Injuries of 10 victims were caused by blows and kicks with bare hands and feet. Instruments used included blunt utensils such as wooden sticks, wooden benches and iron pincers as well as sharp utensils such as knives and scissors. Most injuries were caused by use of different instruments;

e) Location of injuries: Most injuries were found on the head, and most victims had injuries on different parts of their bodies;

f) Severity of injuries: One case of "first degree" light injury; one case of "second degree" light injury; six cases of "first degree" slight injury; eight cases of "second degree" slight injury; and two cases of "third degree" slight injury;

g) Category of cases: In all 18 cases, divorce proceedings were filed;

h) Causes of violence: Eight cases of violence were related to the birth of girls; six cases were related to extra-marital affairs; and four cases were related to personality conflicts.

3. Discussion

a) Women are major victims of inner-marriage violence.

b) Characteristics of women abused in marriage violence

i. Most women victims are relatively young and have not been married long, which makes them more vulnerable to marriage instability;

ii. Statistics show that domestic violence is hidden from public view. Locations of injuries are concentrated on soft tissue and most are of light degree;

iii. All perpetrators of violence are the women's husbands;

iv. An analysis of the causes of domestic violence indicates that the ideology of men's superiority over women is an important reason behind family violence. Other reasons include moral construction of society lags behind economic progress since the state's adoption of the reform and opening policy, as well as extra-marital affairs and the influence on a married couple of a "third party."

c) Strategies for preventing and reducing domestic violence

i. Strengthen publicity and education to eliminate the feudalistic ideology of the husband's absolute authority over his wife and men's superiority over women;

ii. Improve legislation and regulations to improve protection of women and to provide legal aid and other support to domestic violence victims;

iii. Lower the threshold for divorce as a strategy to reduce domestic violence.

(by Qiu Wenqing, Shangrao County People's Court)

Reports on International Visits

International Workshop on South-east Asia Partnership for Assimilation of Gender Consciousness into Mainstream Society

Inspirations from Northern European Experiences of Anti-domestic Violence

From January 26 to February 10, 2002, China Law Society's "Domestic Violence in China: Research, Intervention and Prevention" project organized a delegation to Europe upon invitation by the Northern European Asia Research Institute and the Norwegian Human Rights Research Center. The delegation was comprised of eight police officers from the China Public Security Ministry, the China Public Security University and the Beijing City Public Security Bureau (delegates of the City Bureau were from the City Bureau Public Order Control Brigade, Yanqing County Public Security Bureau and You'anmen Police Station of Fengtai District Public Security Bureau). They visited the Northern European Asia Research Institute, the Human Rights Research Center, the Crisis Intervention Center, the Roskilde Police Station, the Police School, the Public Affairs Department of the City Council and women's shelters. They held meetings and exchanged experiences with those organizations and institutes.

1. Involvement and intervention of government agencies

Protection of women's rights is given much attention in both Denmark and Norway. Domestic violence has become an important area in human rights protection. The governments are bound by explicit regulations and there are special protections and research departments with express responsibilities. Other organizations committed to support and assistance of women include the police, equity department, human rights centers and shelters. With few exceptions, most organizations accept funds from both governments and companies. This guarantees financial support for abused women. In contrast, this type of work has not yet become a government action in China and there is no social program to address the problem.

2. Chinese police can learn much from the practices of European police in preventing and handling domestic violence cases.

In Denmark, a strong affinity is maintained between the police and the public. The responsibility of the police to the society, the service of the police to the public and the police work against domestic violence are appreciated by the public. Whenever in need, the police can always expect assistance and support from the public, such as the provision of clues, reporting of circumstances and willingness to appear in court as witnesses. This is helpful for effective control of public security by the police and is also a practice we can follow.

In addition, it was observed that the police in Denmark have a strong sense of evidence collection procedures. The police are always careful to collect evidence and to obtain oral statements of witnesses and certificates from hospitals. In contrast, police in our country focus on obtaining an oral confession from the suspect while neglecting other evidence. Substantial matters are given priority while procedural issues are overlooked. This is a problem that should be addressed, particularly in domestic violence cases where it is often difficult to collect evidence.

3. It is essential to find a Chinese approach to control domestic violence in light of our own circumstances and challenges

Although we have different circumstances, history, culture, education level and population structure, we can still learn much from northern European experiences in combating domestic violence. We should create our policy in light of Chinese circumstances, but we should be brave in experimenting and exploring methods that best suit our own situation. We should add to our agenda consideration of setting up shelters and support agencies in appropriate locations.

4. Conclusions

We have just begun fighting domestic violence in China. It is critical to address the majority's misconceptions regarding domestic violence and gain the public's attention towards this issue.

In both Denmark and Norway, the whole society has been mobilized to control the phenomena of domestic violence. However, in China, due to constraints of geography, history, economy, culture and values, we are still at a preliminary stage in conducting study and research on the issue. Although different organizations are working to tackle the issue, there has not been government action.

The police are an important force against domestic violence and their education and professional training regarding combating domestic violence should be strengthened.

It is essential to improve awareness of laws and self-protection of women in both cities and rural areas all over our country. It is also important for different organizations and government departments to take responsibility to control domestic violence under the common understanding that "domestic violence is a social problem."

(by Han Yucheng, Director of the General Office of the Yanqing County Government)

Report on a study visit of "San Francisco Training Program for Medical Intervention into Domestic Violence"

From February 6 – 15, 2002, Mr. Cui Qiqiang of Beijing's Tieying Hospital, Mr. Wang Xiaonian, a physician director at the same hospital, and I visited San Francisco for the "Training Program for Medical Intervention into Domestic Violence" at the invitation of the Domestic Violence Prevention Foundation in San Francisco. We found that the visit broadened our perspectives through teaching us more about the rich experiences of San Francisco's medical workers in medical intervention and about various hospital practices in the area. The visit also helped us with work and our confidence in operating the Pilot Medical Intervention Sub-project of the "Domestic Violence in China: Research, Intervention and Prevention" project. We were deeply impressed by what we learned from the visit and it made us rethink over our own operations.

First, we found that our San Francisco colleagues demonstrated much creativity in establishing a close partnership between NGOs and government departments and in operating a "training program for medical intervention into domestic violence."

Our work in domestic violence is at a preliminary stage compared to our American counterparts. To maintain sustained and healthy development of the campaign against domestic violence, it is a challenge in our country to introduce domestic violence intervention into clinical practice and the hospital management system. At present this

system is undergoing structural reform, from traditional biological therapy to a biological-psychological-social approach to medical treatment. Medical intervention into domestic violence is a pioneering project in China. We should continue communication and coordination with relevant government organizations and medical administrative departments so as to win their consensus and support in effectively carrying out our project.

The Domestic Violence Prevention Foundation in San Francisco is successful in this area. We should study foreign experience in light of Chinese local culture and draw experience in our own practices. America has a different legal and medical system, but the role of American doctors in intervention, the judicial effect of medical conclusions, the format of medical records and cooperation between doctors, the judiciary and the police are all worth learning.

Medical intervention into domestic violence had not been evaluated until 1995, twenty years after initiation of such efforts in San Francisco. In China, medical intervention is a current project, and evaluation of project performance would be helpful for more effective operation.

(by Ms. Li Hongtao from China Women's Institute)

Brief on OSCC Practice in Thailand

From January 24 to February 4, 2002 I visited Thailand to study the OSCC project. The program is part of the Thailand Women's Reproductive Health Program. OSCC was originally developed in Malaysia as an intervention into domestic violence. In Thailand, there are nine hospitals at different levels and of different sizes which are operating OSCC pilot projects. Beneficiaries of OSCC include women victims of domestic violence and raped women and girls.

1. Meaning of OSCC

2. Nam Pong Hospital

The following work is done as part of the OSCC program:

- a) Female patients who are victims of domestic violence are sent to OSCC after giving their consent;
- b) OSCC then convenes a meeting about each specific case;
- c) Propaganda activities include demonstrations, street drama performances and street consultancy;

In rural areas, work is done in the following four stages:

- a) Convene a conference to promote villagers awareness of domestic violence;

- b) Go to every village to learn about domestic violence situations and provide consulting on domestic violence;
- c) Organize influential villagers to visit other places to study practices against domestic violence;
- d) Select some villages and help them make a program and utilize women's organizations to conduct work against domestic violence.

The following characteristics can be discerned from intervention programs:

- a) No additional subsidy is offered to domestic violence programs;
- b) Confidentiality of patients' medical records is safeguarded;
- c) Respect is shown to the will of patients and confidentiality is kept in accordance with their will;
- d) It takes times and patience to address some individual cases which may affect the normal work of hospitals;
- e) A doctor has to have versatile talents, offering both medical treatment as well as psychological advice;
- f) Separate case records are maintained and can be directly used as evidence in court proceedings.

3. Khon Kaen Hospital

4. Reflections

A study of the OSCC practice in Thailand made us rethink our own domestic violence project operations and we found that the following points from our Thai colleagues are particularly worth studying: conferences regarding specific cases; inquiry skills; maintenance and categorization of medical records; and the role of social workers. In Thailand, different hospitals have different intervention priorities. This means that specific features of hospitals must be considered when intervention is expanded to include more organizations.

Brief on Asia and the Pacific Conference on Domestic Violence

From February 18 – 22, 2002 I attended the Asia and the Pacific Conference on Domestic Violence held in Sydney. The theme of the conference was "Expanding our Horizons: Understanding the Complexities of Violence against Women—Meaning, Culture and Difference." Delegates to the conference came from different countries such as Australia, New Zealand, the United States, Canada, China, the Philippines, Thailand, Cambodia, India, the United Kingdom and Bangladesh.

I gave a presentation at the roundtable session on the afternoon of February 19th. The topic of my presentation was "Cultural Difference and Domestic Violence." I discussed how traditional culture influences the way that Chinese conceptualize and

treat domestic violence. Also, we must pay close attention to cultural factors when domestic violence is studied and addressed. On the afternoon of February 18th, I attended a group session and gave a speech entitled, “Domestic Violence in China: Yesterday, Today and Tomorrow.”

I found the following at the conference: 1) Focus has been shifted from white women victims to aboriginal women and homosexual families, and there are variety of research interests in these areas; 2) Delegates included academicians as well as professional workers, but it seemed there were certain difficulties for the two groups to communicate with each other.

(by Liu Meng)

Legislation

General information on separate national laws on domestic violence in different countries

Convention of American Countries on Prevention, Punishment and Elimination of Domestic Violence against Women

Suggestions and Feedback

Auditor’s Report

Financial Report of the General Project and Each Sub-project for the year 2001

Expenditures of Each Sub-project for the year 2001