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FOREWORD

Acknowledgments

PURPOSE OF THIS CAPACITY BUILDING MANUAL

Who is this guide for?

This guide is a resource for **community-based Stop GBV Champions/activists** who are working to curb Gender-Based Violence in their respective communities. Often, Stop GBV Champions/activists have several roles. Sometimes they provide case management, and others educate their communities. Some do both. Advocacy is a strategy that complements case management and community mobilization. This guide will help you to develop your advocacy skills, in order to influence powerful people in your community.



This Training facilitators guide is designed for Community stop GBV Champions/activists, and duty bearers including:- legal, social and health service providers such as Social Workers, Teachers and Law Enforcement Officers. The purpose of this guide is to equip communities with knowledge and skills to enable them identify and effectively manage survivors/victims of Sexual and Gender Based Violence (SGBV). It draws on training information from a variety of sources, and is meant to develop a well-rounded understanding of GBV, its causes and consequences.

The sessions are meant to flow in the manner presented here, however various groupings of sessions are possible to allow for shorter workshops.

In this guide you will find:

- i **An introductory section** gives an explanation of gender-based violence, the profile and roles of Stop GBV Champions/activists, why it is important to prevent GBV, the GBV situation in Uganda, including current laws and policies, international conventions and declarations related to Gender-Based Violence.
- ii **Referral pathway** (Refer to Annex II) gives a flow of how all duty bearers are obliged to ensure easy and timely access to services by the survivors/victims. Justice delayed is justice denied. Realization of justice requires timely examination, investigation, preservation of evidence and psychosocial support. It brings out the importance of establishing and strengthening GBV referral pathway and linking survivors to referral services that are available within community
- iii **Tools** this introduces the need to develop and use the existing standard tools for collecting data and information on GBV, follow up, referral, monitoring and reporting of the GBV cases.

- iv **A section on advocacy** gives an explanation of advocacy: what it is, who it targets, why we do it, the advocacy process, the importance of data collection and evaluation making linkages at different levels, as well as with behavioural change and communication and case management efforts.
- v **A section on community mobilization for behavioural change and communication** gives an explanation of behavioural change and communication, including how it relates to advocacy, tools for you to examine your role in the community, tools for you to discuss gender and gender-based violence with your community, communication tips and techniques, the importance of data collection and evaluation, making linkages with advocacy and case management efforts.

1.0 Introduction to the Workshop

Total time: Approximately 1 hour 30 minutes – 2 hours

1.1 Opening

Time: 10 minutes

Objectives of the session

- To introduce participants to the details of the training workshop.

Procedure

Begin the workshop by greeting participants. Introduce yourself and any other workshop staff working with you. Explain your experience related to Sexual and Gender Based Violence. If the workshop is being co-hosted by another facilitator/organization, and someone from that organization is present, ask them to make opening remarks for the workshop and welcome participants. Briefly **explain** what the training will be about (GBV), and why the topic.

1.2 Introductions

Time: 20–60 minutes (depending on length of training)

Notes to Facilitators

- i For workshops five days or longer, introductions should take more time and involve more interactions between participants (45–60 minutes).

NOTE: training days may change depending on available funding and agenda at the particular time.

Procedure

Conduct an introduction activity so that all participants are aware of who is in the room— names, organizations, work sites, and general information about each other's work and experiences.

1.3 Expectations

Time: 5–10 minutes

Procedure

- i Ask participants to take 2 minutes to write down two expectations they have for the workshop.
- ii Ask participants to share their expectations. Write these on the flipchart paper.
- iii Explain whether or not this workshop will address each of the shared expectations. If it will not, explain why and how interested participants can gain access to such knowledge.

- iv If there are other expectations of the workshop that were not mentioned by participants, explain these.

1.4 Objectives

Time: 5–10 minutes

Procedure

- i Put up a flipchart with the training objectives written on it (and their translations), or hand out copies of the workshop objectives.
- ii Go through each objective, taking time to be sure participants understand the workshop purposes, objectives, and intended outcomes.
- iii Facilitate a discussion to clarify any questions or concerns.
- iv This will ensure that they do not start the workshop with unrealistic expectations.

1.5 Agenda

Time: 10–15 minutes

Procedure

1. Distribute the workshop agenda.
2. Review daily schedule with participants, making sure to note any overall themes for given days, etc.
3. Explain how the workshop sessions will build upon each other to achieve the workshop objectives.

1.6 Ground Rules

Time: 10–15 minutes

Procedure

1. Explain that in order for the training to go well, participants should agree to follow certain rules as a group. Ask participants for suggestions for these agreements.
2. Write on the flipchart the suggestions from the group and ask for clarification, explain or give examples of each as you write it. Examples of ground rules might be:
 - i Respect time—start on time, end on time
 - ii Be respectful of other participants and the facilitators, including different opinions
 - iii Talk loudly enough for all to hear
 - iv Talk one at a time
 - v No side groups
 - vi Do not judge others
 - vii Maintain confidentiality
 - viii Everyone should participate!
3. **Be sensitive to training topic**
 - Ask participants if they agree to abide by these ground rules.
 - Post the ground rule list on the wall in the training room. These can be used later to remind the group what was agreed if problems arise or the rules are not being followed.

- Select a host team of two volunteer participants. The role of the host team will be to help facilitators get participants back into the workshop after breaks and ensure that the participants are adequately catered for.

1.7 General Training Information

Time: 5-10 minutes

Procedure

- Have available a package of the documents that participants received for the workshop, and go through each of these with them, to make sure that everyone has available the list of resources
- Inform participants of the facilitation approach: two facilitators taking different sessions. Explain that a variety of learning techniques will be used: plenary, group works, role plays, one evening session; daily evaluations and report-back the following morning
- Explain that the facilitator will attempt to go slowly so that the participants will have time to write down and absorb the information.
- This training will be participatory, so activities will be used and everyone is expected to participate. Questions are encouraged!
- Daily evaluations will be given out at the end of each day, so you will have the opportunity to tell us what you liked and did not like about the training each day, and to make suggestions.
- A blank flip chart will be kept on the wall for any topics the group would like to return to if there is not time during a particular training segment.

1.8 House keeping

Time: 5-10 minutes

Procedure

Ask participants to review the names and contact information that exists for each of them, and to make any necessary adjustments/corrections. This should also include email contacts for participants

Inform participants about arrangements for breaks and lunch, arrangements for pick-up in the mornings and return to the office; details about hotel, allowance etc. Also ensure that they have information about hotel charges in writing to avoid any confusion.

2.0 Introduction to Sex and Gender

Total Time: Approximately 2 hours

2.1 Sex vs. Gender: What is the difference?

Objectives of the session

- To understand the differences between gender and sex

Procedure

1. On the flip chart, write the word “sex” on the left side and “gender” on the right side. Explain the definitions of sex and gender, including the Points to note below. Write on the flipchart examples of sex and gender differences.

SEX Refers to *Biological differences* between women and men. These differences are not changeable and are determined by: Biology.

GENDER Refers to *Social differences* between women and men. These differences can change and are determined by: Society, Culture, Religion, Family beliefs.

Gender - Refers to the social differences between males and females

- Determined by social factors— culture, tradition, societal norms, religion
- “Gender” in any given society involves the socialization for boys and girls, men and women that determines roles, responsibilities, opportunities, privileges, limitations, and expectations
- Gender definitions can change across time and geographical space

For some, the word “gender” has become associated with women’s issues and women’s programs. In fact, “gender” refers to both males and females.

Gender is an English word; the meaning has changed over time. Twenty years ago, “gender” had the same definition as “sex.” The word does not translate easily into other languages.

It is useful to ask a few participants to translate “sex” and “gender” into local languages. Try to get the group to agree to use these translated definitions when talking about gender.

Gender determines:

- | | |
|--|-----------------|
| - Power differences between males and females in any culture | - Privileges |
| - Roles | - Rights |
| - Responsibilities | - Limitations |
| - Expectations | - Opportunities |

2.2 Stereotypes

Read a few of the following examples and ask participants to indicate whether the statement is based on sex or gender.

- Women give birth to babies, men don’t (S)
- Little girls are gentle, boys are tough (G)
- Women can breastfeed babies, men can bottle-feed babies (S)
- Women are supposed to do the cooking, and men are supposed to do the hard labor (G)
- Men’s voices break at puberty, women’s do not (G)
- The education of boys is more valuable to many societies (G)

- In many families, the role of the husband carries a higher status than the wife. (G)
- The bodies of boys and girls develop differently. (S)
- Men are leaders, women are caregivers. (G)
- In some cultures, women inherit property and men do not. (G)

Points to note

Sex - Refers to the physical/biological differences between males and females

- Determined by biology
- Does not change (without surgical intervention)

Gender – Is not static and changes over time and from place to place

Session 2.3 Key Gender Concepts

Gender Imbalance and inequality

Very simply, it is the idea that males and females are not equal. It is the unequal treatment or perception of a person or individuals because they are male or female. It stems from differences in gender roles

Gender equality

According to the United Nations, gender equality means that females and males enjoy the same rights to protections, opportunities, and resources. Gender equality is a human right

Patriarchy

This is a social system, organisation or arrangement in which males hold power are held supreme and superior to females.

Males are placed at the head, e.g Father heads the home, eldest son becomes heir, clans headed by males not females. Inheritance, leadership, and rights are also based on male-dominated systems.

Gender Gap

This simply means the differences between the sexes

This difference or gap between males and females is obvious in education, respect, household chores, choice of academic studies, jobs, income, economic opportunity, inheritance, responsibilities, e.t.c.

Session 2.3 Power, Consent

Objectives of the session

- To understand the gender terms that related to Gender Based Violence

Procedure

Power (25 minutes)

On the flip chart, write the word POWER.

Ask the group to list other words that mean 'power.' Write their answers on a flip chart.

Ask the group "what gives someone power?" and write their answers on the flipchart. Possible answers: Position, physical strength, being male, authority to rule, money, weapons, knowledge/education/skills, groups/organizations, religion/beliefs....

Discuss various types of power—ask for some examples (without names) of people who have power in the world, in the community.

Power within is the strength that arises from inside ourselves when we recognize the equal ability within all of us to positively influence our own lives and community. Power within is about self-awareness.

Power over means the power that a person or group uses to control another person or group. This control might come from direct violence or more indirectly, from the community beliefs and practices that position men as superior to women. **Power over** is a negative form of power. Using one's **power over** another normally cause injustice, unfairness or oppression.

Power with means the power felt when two or more people come together to do something that they could not do alone. **Power with** includes joining our power with individuals as well as groups to respond to injustice with positive energy and support.

Power to is the belief, energy and actions that individuals and groups use to create positive change. **Power to** is when individuals work to ensure that all community members enjoy the full package of human rights, and are able to achieve their full potential.

Power is directly related to **choice**. A person chooses how to use their his or her power. It can be used to uplift/protect/assist, or to oppress. Power creates able. The less power one has, fewer choices are available. Less empowered people have fewer choices and are therefore more vulnerable to abuse.

Explain that GBV has its origin in abuse of power. Whether the power is "real" or perceived, the survivor of the abuse believes the power is real.

Points to note

Perpetrators can have "real" or "perceived" power. Some examples of different types of power and powerful people:

- Social—peer pressure, bullying, leader, teacher, parents
- Economic—the perpetrator controls money or access to goods/services/money/favors; sometimes husband or father
- Political—elected leaders, discriminatory policies and laws, leader of country or party

- Physical—strength, size, use of weapons, controlling access or security; soldiers, police, robbers, gangs
- Gender-based (social)—males are usually in a more powerful position than females based on cultural and religious beliefs and practices.
- Age-related—often, the young and elderly people have the least power

Gender-based violence involves the **abuse of power**. Unequal power relationships are exploited or abused.

Ask: Do all people with power abuse their power? (No.)

Use of Force (20 minutes)

On a new blank flipchart, write the word VIOLENCE.

Ask each participant to take a piece of paper and write two words or phrases to describe what we mean by 'violence' when we're talking about gender-based violence. This is an individual activity, not group work. Allow a few moments for everyone to write their two words. Go around the room, one by one, asking each person to give ONE word/phrase they wrote. Put the words on the flip chart. Keep going around the room until you have everyone's words on the flipchart.

- This should be a very quick exercise; ask participants not to repeat things from their lists that others have already said.
- Participants usually give a combination of examples of types of violence as well as some definitions of the word "violence." Write all on the flip chart.

Stand back from the flip chart and facilitate a short discussion to thresh out the points to note. Clarify any confusing points; cross out any words or phrases that participants agree do not belong on the list.

Points to note

Violence consists of the use of physical force or other means of coercion such as threat, inducement or promise of a benefit to obtain something from a weaker or more vulnerable person. Using violence involves forcing someone to do something against her/his will— use of force.

It is very important to highlight that physical force is not the only kind of force- there are many kinds of force that are equally effective.

Consent (15 minutes)

On a new blank flipchart, write the word CONSENT.

Ask participants what consent means to them. Write their responses on the flipchart.

If this is a new idea to them, explain this concept. You can give the example of medical care. A person must have all the information they need in order to make an informed decision about a medical procedure- what exactly is involved, all the risks and benefits- before they make the decision. The decision should be their decision only, and they should not be pressured to make the decision by the doctor or anyone, as it is their

life, their body. Discuss their responses and be sure to stress the two necessary components of consent: that it is **informed and voluntary**.

Summarize the session by pointing to all three flip charts—POWER, VIOLENCE/USE OF FORCE, CONSENT. Quickly review the main points of each of these key concepts and answer questions.

Points to note

Consent means saying “yes,” agreeing to something. Informed consent means making an informed choice freely and voluntarily by persons in an equal power relationship.

Acts of gender-based violence occur without informed consent. Even if she says “yes,” this is not true consent because it was said under pressure—the perpetrator(s) used some kind of force to get her to say yes, use of fraud, or deceit.

Children (under age 18) are generally deemed unable to give informed consent for acts such as marriage, sexual relations, etc.

i

Session 2.5 Gender Based Violence

Length 45 minutes

Objectives of the session

- To understand Gender based violence and the related dynamics

Procedure

Give the definition of Gender-Based Violence:

The term **Gender-Based Violence** is used to distinguish common violence from violence that targets individuals or groups of individuals on the basis of their gender (refer to *The National Policy on Elimination of Gender Based Violence for Uganda: Ministry of Gender Labour and Social Development, 2016*). Gender-based violence is violence that is directed against a person on the basis of gender or sex. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of freedom.

While gender-based violence has a devastating impact on the lives of women and girls who are the majority of victims/survivors/victims, it also hinders the development of men and boys. Eliminating gender-based violence and gender inequalities helps to strengthen entire communities.

Forms and manifestations of GBV

- Physical violence which includes; battering and beating.
- Sexual violence which includes; rape, marital rape, child sexual abuse, defilement and incest, sexual assaults, sexual harassment, forced prostitution and trafficking in women.
- Harmful traditional practices such as Female Genital Mutilation, early and forced marriages and dowry related violence.
- Economic violence such as denial of assets and economic livelihoods.
- Emotional and psychological violence such as verbal abuse, humiliation, confinement and as a result of the above forms of GBV.

Source: DV act 2010 and The National Policy on Elimination of Gender Based Violence for Uganda, 2016.

Violence Against Women refers to any act of gender-based violence that results in, or is likely to result in, physical, sexual and psychological harm to women and girls, whether occurring in private or in public.

Sexual violence including exploitation and abuse refers to any act, attempt or threat of a sexual nature that results, or is likely to result, in physical, psychological and emotional harm. Sexual violence is a form of gender-based violence.

Explain that Gender based violence is the same problem, whether it is called GBV, SGBV, or Violence Against Women. The terms are commonly used interchangeably. All these terms refer to violations of fundamental human rights. They refer to physical, sexual and psychological harm that reinforces female subordination and perpetuates male power and control.

Points to note

Gender based violence, occurs based on gender roles, expectations, limitations, etc. SGBV therefore affects females in most societies; males are also victims/ survivors/victims of SGBV, but most gender discrimination occurs against females because they are disempowered in most societies as compared to their male counterparts (Refer to Annex II).

Power — GBV involves the abuse of power

Violence/Use of force—GBV involves some type of force, including threats and coercion. Force is not always physical force. Using the word “violence” implies physical violence, but the meaning is broader than that.

Informed Consent—Acts of GBV are characterized by the lack of informed consent

Human rights—Acts of GBV are violations of fundamental human rights.

Overview

This section provides information to lay the foundation for the entire training program. Step by step, each session builds participants’ understanding of the key concepts and principles behind “gender-based violence” and “violence against women.”

Objectives for the session:

1. To help participants understand and describe the key concepts and basic issues related to all forms of gender-based violence.
2. To increase participants’ abilities to discuss the key concepts in ways that can be well understood by the community.
3. To increase knowledge and understanding of gender-based violence.
4. To explore the dynamics of gender-based violence and why it is a social concern.
5. To learn how to prevent gender-based violence from occurring.
6. To learn how to respond in a sensitive way to survivors/victims of all sorts of violence.

Expectations at the end of the training session:

By the end of this training, participants will be able to:

- i Explain the dynamics of gender-based violence- its causes and consequences of violence.
- ii Articulate reasons why survivors/victims are prevented from seeking help.
- iii Explain concerns of survivors/victims, and how to address such concerns.
- iv Explain why a community approach is necessary to help survivors/victims.

Session 2.6 Who are the perpetrators?

Lesson Time 15-20

Objectives of the session

- To enable participants understand a perpetrator

On a new blank flipchart, write the word PERPETRATOR.

Ask each participant to take a piece of paper and write two persons they think could be perpetrators. This is an individual activity, not group work. Allow a few moments for everyone to write their two words.

Go around the room, one by one, asking each person to give ONE person they wrote. Put the words on the flip chart. Keep going around the room until you have everyone's words on the flipchart. This should be a very quick exercise; ask participants not to repeat things from their lists that others have already said.

Stand back from the flip chart and facilitate a short discussion on the various categories of people mentioned. Clarify any confusing points.

Points to Note;

A perpetrator is a person, group, or institution that directly inflicts, supports and condones violence or other abuse against a person or a group of persons. Perpetrators are in a position of real or perceived power, decision-making and/or authority and can thus exert control over their victims.

It is a myth that sexual and gender based violence is usually perpetrated by strangers. In fact, most acts of sexual and gender based violence are perpetrated by someone known to the survivor, and many violent incidents are planned in advance.

Perpetrators of sexual and gender based violence are sometimes the very people upon whom survivors/victims depend to assist and protect them. These could be;

- Intimate partners; husbands, boyfriends
- Family members, close relatives and friends
- Influential community members; teachers, community leaders, religious leaders, politicians
- Security forces and soldiers
- Humanitarian aid workers
- Institutions like schools, hospitals, organizations

Activity (20 minutes)

Read the following example to participants. Then ask each question and discuss before moving on to the next. If the group gets stuck, you can look at the flipcharts you just made as reminders.

In a very traditional family in Kapchorwa, the father of a 14 year old girl tells her that he has arranged for her to marry a certain man and that before she does so she has to go through a ritual where her clitoris will be cut off to become a woman. The girl does not know the man very well, he is much older than she is and she has heard from her peers that the ritual is very painful and sometimes girls have become very ill, but she agrees to the marriage and ritual.

1. Do you think this kind of situation could happen? Did she give her informed consent to this ritual and marriage?

2. Was there any force used in this incident?
3. Who is more powerful in this example – father or daughter?
 - What kind of power does this father have?
 - What kind of power does the daughter have?
 - How does power relate to choice in this example?

Summary

- Gender-based violence is violence that occurs based on gender roles, expectations, limitations, etc. GBV therefore largely affects females in most societies; males are also victims/survivors/victims of GBV, but most gender discrimination occurs against females because they are disempowered in most societies as compared to their male counterparts.
- GBV involves the abuse of power
- GBV involves some type of force, including threats and coercion. Force is not always physical force. Using the word “violence” implies physical violence, but the meaning is broader than that.
- Acts of GBV are violations of fundamental human rights.

DAY II

Recap for DAY I

Session 3.0 Understanding Gender Based Violence

Total time: Approximately 3 hours, 45 minutes

Overview

This module explores the dynamics of gender based violence the causes and consequences on the survivors/victims and their respective families..

Objectives of the session

1. To be able to identify different types of gender-based violence.
2. Understand the cycle of violence and pattern of abuse
3. To increase understanding about the causes of violence.
4. To develop a deep understanding of the many ways that gender-based violence impacts people's lives and health.

Session 3.1: Myths and Facts

Length 45 minutes

Procedure

Divide the large group into small groups of 4 or 5 people

Give handout to groups

Read the first page regarding Domestic Violence myths, as a group, and discuss each myth and fact.

Then read the second page of Sexual Violence myths, together as a group; discuss each myth and fact.

Take note of the participant's views on the myths and discuss any incorrect beliefs or provide examples to support statements.

Domestic Violence (DV)

MYTH: Battering only affects a small percentage of the population.

FACT: Two million to four million women of all races and classes are beaten every year world-wide.

MYTH: Battering is only a momentary loss of control.

FACT: Battering can go on for hours. Many batterers plan their assault or foresee it.

MYTH: Battered women are masochistic; they like the violence.

FACT: No one likes to be battered. Women often stay in abusive relationships because they hope their partners will change or because they want their kids to have a father. This does not mean they like the violence.

MYTH: Battering does not produce serious injuries; it is just a part of love.

FACT: Battered women are often severely injured. Not a week passes without news reports of a woman who was battered to death by her partner

MYTH: Drinking causes men to batter.

FACT: Men batter when sober and when they are drunk. They use the fact that they were drunk only as an excuse: "I didn't know what I was doing." But in reality, they get drunk in order to say that they are not responsible for their behavior.

MYTH: Religious faith will prevent him from beating you.

FACT: Even pastors beat their partners. Religious faith does not stop men from believing that they have a right to beat their wives.

MYTH: Even if he's violent, it is better for the children to have a father.

FACT: Children are very upset and scared by violence. It is better for them to be without a father than to be frightened by their fathers.

MYTH: Long-standing battering relationships can change for the better.

FACT: Without outside intervention, battering tends to repeat itself.

MYTH: Sometimes women deserve to be beaten.

FACT: Nobody ever deserves violence. Criticisms of abused women, blaming the victims for not "just leaving", lead to conclusions that they must enjoy being beaten, are nags, or drunks, or are mentally ill, therefore they, and not the perpetrators are at fault. Attention needs to focus not on why they stay but why "he abuses".

MYTH: Beating a woman can be used to correct her behaviour.

FACT: Violence does not change behaviour; it is not a problem-solving strategy.

MYTH: Domestic Violence does not have bad effects on a child if the child is not hit.

FACT: Child witnesses to domestic violence are more likely to have emotional and behavioural problems. They are also more likely to be abusive in adulthood. Witnessing violence teaches children that violence is normal.

MYTH: Only poor and uneducated women are beaten

FACT: Domestic violence cuts across all classes.

MYTH: Sometimes men beat their wives because they love them.

FACT: Violence is not an expression of love.

MYTH: Alcohol is the real cause of domestic violence.

FACT: While alcohol abuse does figure in a many violent incidents, it is not the cause of the abuse. Many perpetrators abusers beat their partners whether drunk or sober. Many perpetrators

never use alcohol. Being drunk often serves as an excuse for the behavior and another way to deny responsibility.

Rape and Sexual Assault/Abuse

MYTH: Women are raped by strangers in dark places outside the home.

FACT: Most rapes around the world take place at home by someone known to the woman. A woman can be raped anywhere, if she goes out alone, if she is with friends, if she is at home or out collecting firewood, going to the market or tending her garden. Nothing that a woman does gives any man the right to rape her.

A woman can be raped by a stranger or by someone she knows. Even when it is someone she knows it is still rape. The fact that a man might give her money or gifts does not give him the right to have sex with her without her consent.

MYTH: There is no rape in marriage.

FACT: Rape is any act of sexual intercourse without consent. Even if the law doesn't recognize it, rape can still happen in marriage.

MYTH: Women say no when they mean yes.

FACT: No means No. Every woman has the right to refuse, at any time, the sexual advances of any man. The law protects every woman from rape.

MYTH: Men rape because they are overcome by sexual urges.

FACT: Most rapes are planned in advance. Rape is an act of violence, not passion and the purpose is to make the woman feel bad and the perpetrator feel dominant and in control.

MYTH: Men who commit rape are abnormal or mentally ill.

FACT: Every man who rapes is somebody's son, brother, husband. Research shows that most rapists are not mentally ill.

MYTH: Rape happens to women who have loose morals.

FACT: Any woman can be raped, your mother, your sister, your daughter, your friend. It does not matter how old or young she is. Rape is a reflection of the perpetrators morals, not the victims.

MYTH: Women 'ask to be raped'.

FACT: Rape is a violent crime, a violation of a person's human rights and a humiliating and terrifying experience. No-one asks for it to happen to them.

MYTH: Women provoke rape by the clothes they wear.

FACT: Any woman can be raped, no matter what she wears. It does not matter what a woman is wearing. Whether she is wearing a long skirt, a short skirt or a sack. Nothing a woman wears gives a man the right to rape her.

Notes for facilitators

Functions of Myths

Myths Provide False Security

If we believe that "many rape reports are false," then we lower our perceived chance of becoming a victim too, and we feel safer.

Myths Maintain Our Belief in a Just World

We all would like to believe we live in a just world in which people get what they deserve. If a woman is raped, then it can only mean that she is bad or that she has done something wrong that makes her deserve it.

Myths Keep Women Unequal and Controlled by Men

We are more likely to blame women for being raped when it happens when they are engaged in actions not considered acceptable for women – e.g. walking alone at night. Even other women often blame survivors/victims when they are raped while not adhering to these restrictions.

Session 3.2 Types of GBV

Length 45 minutes- 1 hour

Objectives of the session:

- To learn and differentiate the different types of GBV

Procedure

Ask the group to give some examples of gender-based violence. Stop the discussion when you have 5–8 examples, some examples might be: Rape, and Sexual Exploitation.

Some participants may offer examples that are not SGBV specific, such as Domestic Violence, child abuse (child beating that is unrelated to gender issues). If this occurs, take a moment to review the definition of GBV and clarify that there are many forms of violence, and the line between SGBV and other types of violence is often difficult to determine. And, there are similarities in the types of assistance provided to survivors/victims of any form of violence. Write the following types of GBV on the top of four flip charts:

- **Sexual**- controls sexuality
- **Physical**- hurts the body
- **Psychological** (Emotional, Mental, Social)- hurts feelings
- **Economic**- controls access to money, resources, or property

Explain that we can group the different types of GBV into these four main groups.

Divide participants into 4 small groups. Assign each group one of the general types of GBV you listed on the flip charts in Step 2.

Ask groups to brainstorm and come up with examples of their type of GBV. They should write these examples on a flip chart paper. Give the groups **10 minutes** to complete their assigned tasks.

Note: (Facilitators should move around the room to see how groups are doing and offer assistance if they are stuck. The group with economic violence may need some assistance.)

When groups are finished, they should post their lists around the room for others to see. One representative from each group should remain with the flip chart to answer or clarify any questions that may come up.

Instruct participants to do a “Gallery Walk” by walking around the room and reading what the other groups have written and discussing any questions with the group’s representative.

Allow 5–10 minutes for participants to view each group’s work and to discuss among themselves. Monitor progress; allow more or less time as needed.

Ask everyone to return to their seats. Ask a few discussion questions; discuss for approximately 10 minutes:

- Were there any examples listed that you disagreed with?

- Anything that surprised you?
- Are there examples of GBV that were repeated in different groups?

Ask participants to look around the room at the different kinds of interpersonal violence. Ask people to pause for a few moments to reflect on this. What does this mean to them?

Points to note

Gender-based violence is any of the acts listed in the table below:

SEXUAL ASSAULT AND ABUSE

Type of act	Description/Examples	Can be perpetrated by
Rape and marital rape	Forced/coerced intercourse	Any person, including husband, partner or care-giver
Sodomy	Forced /coerced anal intercourse, usually male-to-male or male-to-female	Any person in a position of power
Attempted rape or attempted sodomy	Attempted forced/coerced intercourse; no penetration	Any person in a position of power
Sexual abuse/ exploitation	Sexual interactions against her will (e.g., perform in sexual manner, forced undressing and/or nakedness, coerced marriage, forced childbearing, engaging in pornography or forced prostitution)	Anyone in a position of power, influence, control, including humanitarian aid workers
Child sexual abuse, defilement, incest	Sexual relations with a child (any person under 18 years of age).	Often perpetrated by someone the child trusts, including parent, sibling, extended family member, friend or stranger, teacher, elder, leader; Anyone in a position of power over a child
Forced prostitution (also referred to as sexual exploitation)	Forced/coerced sex-trade in exchange of material resources, services and assistance, usually targeting highly vulnerable women or girls unable to meet basic human needs for themselves and/ or their children.	Any person in a privileged position, in possession of money or control of material resources and services, perceived as in power. Includes Humanitarian aid workers
Sexual harassment	Any unwelcome sexual advance, request for sexual favours or other verbal or physical conduct of a sexual nature	Soldiers/officials at checkpoints, teachers; employers, supervisors or colleagues, any person in a position of power, authority, or control

Source: National Action Plan on Elimination of Gender-Based Violence 2016-2021: Ministry of Gender Labour and Social Development, 2016. and The National Policy on Elimination of Gender Based Violence for Uganda: Ministry of Gender Labour and Social Development, 2016.

PHYSICAL VIOLENCE

Type of act	Description/Examples	Can be perpetrated by
Physical assault	Beating, punching, kicking, biting, etc., with or without weapons; often used in combination with other forms of sexual and gender-based violence.	Spouse, partner, family member, friend, acquaintance, stranger, anyone in position of power
Trafficking, slavery	Selling and/or trading in human beings for forced sexual activities	Any person in a position of power or control; often accompanied by promises of money and a “good job”

Source: National Action Plan on Elimination of Gender-Based Violence 2016-2021: Ministry of Gender Labour and Social Development, 2016. and The National Policy on Elimination of Gender Based Violence for Uganda: Ministry of Gender Labour and Social Development, 2016.

EMOTIONAL, PSYCHOLOGICAL AND SOCIO-ECONOMIC ABUSE

Type of act	Description/Examples	Can be perpetrated by
Abuse / Humiliation	Non-sexual verbal abuse that is insulting, degrading, demeaning; compelling her to engage in humiliating acts, often in public; denying basic expenses for family survival	Anyone in a position of power and control; often perpetrated by spouses, partners or family members in a position of authority
Discrimination and/or denial of opportunities, services	Exclusion, denial of access to education, health assistance or remunerated employment; denial of property rights	Family members, society, institutions and organizations, government actors
Confinement	Isolating a person from friends/family, restricting movements	Anyone in a position of power and control; often perpetrated by spouses, partners or family members in a position of authority
Obstructive legislative practice	Denial of access to exercise and enjoy civil and political rights, mainly to Women	Family, community, institutions and State

Source: National Action Plan on Elimination of Gender-Based Violence 2016-2021: Ministry of Gender Labour and Social Development, 2016. and The National Policy on Elimination of Gender Based Violence for Uganda: Ministry of Gender Labour and Social Development, 2016.

HARMFUL TRADITIONAL PRACTICES

Type of act	Description/Examples	Can be perpetrated by
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Female genital mutilation (FGM)	Cutting of genital organs for non-medical reasons, usually done at a young age; ranges from moderate to extreme cutting, removal of genitals, stitching.	Traditional practitioners, supported, condoned, and assisted by families, religious groups, entire communities
Early marriage	Arranged marriage for girls under the age of legal consent (sexual intercourse in such relationships constitutes statutory rape, as the girls are not legally competent to agree to such unions)	Parents, community and State
Forced marriage	Arranged marriage for girls under the age of legal consent or women against their wishes; often a dowry is paid to the family; if she refuses, there are violent and/or abusive consequences (Legally, such unions would not be considered marriage because of age and/or force.)	Parent, family members
Honor killing and maiming	Maiming or murdering a woman or girl as punishment for acts considered inappropriate for her gender that are believed to bring shame on the family or community (e.g., pouring acid on a young woman's face as punishment for bringing shame to the family for attempting to marry someone not chosen by the family)	Parent, husband, other family members or members of the community
Infanticide and/or neglect	Killing, withholding food, and/or neglecting female children because they are considered to be of lesser value in a society	Parent, other family members
Denial of education for girls or women	Removing girls from school so they can perform expected gender roles in families	Parent, other family members

Source: National Action Plan on Elimination of Gender-Based Violence 2016-2021: Ministry of Gender Labour and Social Development, 2016. and The National Policy on Elimination of Gender Based Violence for Uganda: Ministry of Gender Labour and Social Development, 2016.

NOTE: It is important to provide the opportunity for participants to connect **emotionally** to the violence we are talking about, not simply discuss facts on paper. It is the emotion that will draw out the concern in participants.

Session 3.4: Causes of GBV

Length 1 hour

Objectives of the session

- To understand the causes of violence or contributing factors

Procedure

Separate participants into 4 groups, and explain that each group will review a case study on a handout. Number the groups from 1 to 4, and assign them case studies 1-4 to read. Pass out the handouts with the Case Studies on them.

Causes and Contributing factors of GBV

Root Causes of Gender based Violence	<ul style="list-style-type: none"> • Societal norms and attitudes of men and women • Male and/or society attitudes of disrespect or disregard towards women. • Lack of belief in equality of human rights for all • Unequal power relations • Cultural/social norms of gender inequality • Lack of value of women and/or women's work • Mistrust in relationships
Contributing factors are factors that perpetuate GBV or increase risk of GBV, and influence the type and extent of GBV in any setting.	<ul style="list-style-type: none"> • Alcohol/drug abuse is a contributing factor—but all drunks/drug addicts do not beat their wives or rape women. • War, displacement, and the presence of armed combatants are all contributing factors, but all soldiers do not rape civilian women. • Poverty is a contributing factor, but all poor women are not victimized by forced prostitution or sexual exploitation.
Possible Contributing/perpetuating Factors:	<ul style="list-style-type: none"> • Alcohol/drug abuse • Poverty • Lack of availability of food, fuel, wood, income generation requires women to enter isolated areas • Boredom, lack of services, activities, programs • Collapse of traditional society and family supports • Religious, cultural, and/or family beliefs and practices • Design of services and facilities • General lawlessness • Geographical location/environment (high crime area) • Lack of laws against forms of gender-based violence • Lack of police protection • Lack of knowledge about human rights and women's rights • Legal justice system/laws silently condones gender violence • Loss of male power/role in family and community; seeking to assert power • Political motives- weapon of war, for power/control/fear/ethnic cleansing • Lack of education for women

Conclude this session by pointing out that causes of gender-based violence lie in a society's attitudes towards and practices of gender discrimination, which place women in a subordinate position in relation to men.

Points to note

The root causes of all forms of GBV lie in a society's attitudes towards and practices of gender discrimination—the roles, responsibilities, limitations, privileges, and opportunities afforded to an individual according to gender.

Note that addressing the root causes through prevention activities requires sustained, long term action with change occurring slowly over a long period of time.

Contributing factors do not cause GBV; they drive it.

Session 3.5: Consequences of Violence

Length 1 hour

Objectives of the session

Objectives of the session

- To assess the consequences of GBV on victims/survivors

Procedure

Divide the group into groups of four or five people and ask them to develop a very short role play showing ways in which men and women mistreat each other. Let the groups present these role plays to the whole group. After the role play has finished ask the characters to stay in the role for a few minute whilst you invite the rest of the group to ask the characters questions. The characters should answer questions in these roles. The sort of questions which they might ask are;

- How does she feel when he does this? What does she fear?
 - Why does he do this? How does he feel?
 - Who else is there? Who witnesses it? Who is involved in it?
 - How do they feel/ What does the woman do? Why does she respond in this way?
 - What do other people do? Why does they act in these ways?

List the consequences identified by the groups on one or more flip charts, grouping the consequences into three categories:

- Health
- Psychosocial/Emotional
- Social

Conclude this session by pointing out that consequences and after-effects of violence are primarily related to health and psychosocial issues. Survivors/victims often need access to health and counseling services in order to begin to heal. They deserve confidential and sensitive care when they seek these services.

Points to note

Victims/ survivors/victims of sexual and gender based violence are at a high risk of severe health and psycho-social problems, sometimes death, even in absence of physical assault. There are a number of medical, psychological, and social consequences to GBV that vary depending on the types of GBV.

Death, either through homicide or suicide, is not uncommon.

The most significant social outcome is stigma and all societies' tendency to **blame the victim** for an incident of GBV, especially rape and other sexual abuses. Survivors/victims of GBV most often feel extreme **shame**, and this shame prevents many from disclosing abuse to others and seeking the help they need. When communities blame victims for their abuse, this compounds their shame and prevents them from reaching out about what happened. This stigma and blame result in even greater psychological and emotional suffering to the survivor and often influences the behavior of those who should be helping. The survivor may be considered an outcast in the community and may even be unmarriageable.

Survivors/victims of GBV are at high risk for further abuse and victimization.

Health consequences —There are serious and potentially life-threatening health outcomes with all types of sexual and gender-based violence. The exact consequences vary, depending on the type of GBV. Some examples are:

Fatal Outcomes

- Homicide
- Suicide
- Maternal mortality
- Infant mortality
- AIDS-related mortality

Acute Physical

- Injury
- Shock
- Diseases
- Infection

Chronical physical

- Disability
- Somatic complaints
- Chronic infections
- Chronic pain
- Gastrointestinal problems
- Eating disorders
- Sleep disorders
- Alcohol/drug abuse

Reproductive

- Miscarriage
- Unwanted pregnancy
- Unsafe abortion
- Sexually transmitted infections (STIs), including HIV/AIDS
- Menstrual disorders
- Pregnancy complications; infertility
- Gynecological disorders
- Sexual disorders

Psychological/Emotional Consequences—Most psychological and emotional after-effects should be viewed as normal human responses to a horrific, terrifying, extreme event. In some cases, however, the survivor experiences mental illness that requires medical intervention.

- Post-traumatic stress
- Depression
- Anxiety,
- Fear
- Anger
- Shame, insecurity, self-hate, self-blame
- Mental illness
- Suicidal thoughts, behavior, attempts

Social Consequences—Most societies tend to blame the survivor for the incident, especially in cases of rape. This social rejection results in further emotional damage, including shame, self-hate and depression. Due to their fear of social stigma and rejection, most survivors/victims never report the incident and never receive proper health care and emotional support. Most incidents of GBV are never reported to anyone.

- Blaming the victim
- Loss of ability to function in community (e.g., earn income, care for children)

- Social stigma
- Social rejection and isolation
- Withdrawal from community and life
- Rejection by husband and family

Point to Note

Incidents of GBV are serious and can be life threatening. Survivors/victims can experience the effects of the violence long after the episode is over.

The silence that surrounds violence protects it and allows it to continue. Myths about violence and victim blaming also prevent survivors/victims of violence from coming forward for help.

Session 4.0: Prevention of Gender Based Violence

Total time: Approximately 1 hour, 40 minutes

Objectives of the session

- To develop community-led solutions or strategies for preventing GBV.

Session 4.1 Prevention strategies

Objectives of the session

- To promote understanding of the forms, causes, and effects of GBV
- To create awareness among the people at risk to detect and protect themselves against GBV.

Procedure:

1. Emphasise that when considering prevention activities to undertake in a community, one must know and address what causes the violence. Refer back to the causes and contributing factors identified earlier in the workshop
2. Divide the participants into groups. Ask each group to spend 10 minutes discussing and writing down five things each person can do to prevent GBV in their homes and community. Ask the groups to think of immediate actions (this week) as well as longer term actions (the next 3 months).
3. Let each group tape their flip chart or cards on the wall for all the other participants may see them. Allow participants to walk around the room for a few minutes to review what others have written.
4. Discuss what the groups have seen on the charts or cards and any remarkable ideas for preventing violence.
5. Ask participants if this illustration looks like their own relationships, or if they can make changes to improve equality between partners. Note that actions and efforts to eliminate GBV, start with other actors checking their own lives and making positive changes in their own behavior.

Points to note

Some potential activities that participants identify may include:

Issues to consider	Potential activities
Empowerment of women	<ul style="list-style-type: none"> • Encouraging education of girls • Provision of child-care facilities to enable women to access education • ensure equal employment opportunities for refugee women as casual workers • Assisting women to establish associations and platforms
Working with men	<ul style="list-style-type: none"> • Working with religious and community leaders • Working with male teachers/ educational structures • Working with adolescents and young boys • Encouraging men to form associations
Ensuring prosecution of perpetrators	<ul style="list-style-type: none"> • Deterrence measure • Working with communities to • disseminate consequences of GBV crimes • Working with government authorities
Information, Education and Communication materials	<ul style="list-style-type: none"> • Mass information campaigns • Developing posters and standard messages • Using theatre and entertainment • Using established fora and meetings
Influencing formal and traditional legal systems	<ul style="list-style-type: none"> • Partnering with local human rights and legal rights groups • Partnering with women's groups • Targeting traditional authorities and government counterparts for training activities
Mainstreaming SGBV prevention into operational sectors	<ul style="list-style-type: none"> • Identifying opportunities for improving delivery of assistance in each sector

DAY III

Session 4.2: Responding To Gender Based Violence

Total time: Approximately 2 hours, 30 minutes

Overview

This module guides participants through a process to understand the minimum actions needed to establish effective response and prevention to Gender based violence.

Objectives of the session

- To understand GBV prevention mechanisms
- To understand the different needs of survivors

- To increase understanding of the urgent need for basic survivor assistance (response) services in all settings.
- To **understand the referral pathway**

Health and Safety Needs After GBV

Length 45 minutes

Procedure

Before the session, find out if there are any women's organizations or NGOs which provide services for abused women in the area. Find out their contact details and what services are offered.

Divide participants into four small groups.

Read the following **case study** to everyone:

Sarah is a 21-year old women living in a village in Kotido. She weaves baskets and mats in order to make money. She is married, and has two children. Her husband has left the village for town temporarily to look for work. One day, Sarah is walking home from her garden carrying millet which is really heavy- especially since she is carrying her three months son, too. A man who lives in her village, but whom she does not know very well, offers to help her carry the millet home. He makes her a little uncomfortable by the way that he looks at her, but the millet and the child together are very heavy, so she accepts.

Once he has put the millet down in her house, she notices that he does not leave. She becomes nervous. As soon as she puts her child down, he grabs her and shows her a knife he had hidden in his clothing. He tells her to be quiet or he will kill her. He pushes her to the ground and rapes her while holding the knife by her throat. When he is finished, he spits on her before he leaves.

Tell the participants to imagine that they are Sarah. Ask each group to answer the following questions:

- What will her main concerns be?
- What will be her health concerns?
- What will her safety concerns be?
- Who can she turn to for help?

Now, tell the group to imagine that Sarah comes to them for help, and tells them what happened to her. How would you help her? How could you help advocate for her needs? Why is it important for her to get medical attention?

Ask participants- is it possible that Sarah could be partly responsible for the rape? Did she do something wrong to make this happen? (*In order to bring out any victim-blaming attitudes.*)

Discuss these possibilities in the large group after the small groups have shared their ideas.

Points to note

Possible concerns of survivor:

- Fear that community will blame her for assault
- Fear that her husband will blame her

- Fear that husband will leave her
- Fear that she will not be believed
- Self-blame and shame about the assault Possible health concerns:
- Pregnancy [STIs, HIV
- Physical injury

Possible safety or security concerns:

- Fear that the rapist will return to hurt her again
- Fear that her husband will want to take revenge against rapist
- Fear that her husband will be violent toward her as punishment
- Fear that her husband will not believe her that was happened was rape and not consensual
- Feelings of vulnerability and lack of safety

Where the survivor can turn to for help:

- Family, friends, someone she trusts
- Religious leaders
- Health staff
- Police
- Community leaders
- NGOs or CBOs

How to help her:

- Give her emotional support
- Ask her what her concerns are
- Ask how you can help her
- Follow the **Guiding Principles** for working with survivors/victims of violence
- Follow her lead.
- Offer her **choices** and allow her to make decisions.
- Understand that she is the expert in her life.
- Ask her if she feels safe, or if she needs help with security and would like to report to security personnel
 - If survivor wants to report the crime to the authorities, explain that she has to go to a health center within 72 hours of the incident so that the medical officer can check her and record the findings which will be used as evidence. Evidence that would be collected during the medical examination includes:
 - Injury evidence: physical/genital trauma
 - Clothing
 - Foreign material: soil, leaves, grass
 - Hair: foreign hairs found on survivors/victims clothes or body
 - Sperm and seminal fluid from vagina, anus, mouth, body

- Swab samples from bite marks, fingernail scraping

Note that if a survivor would like to have a medical exam completed, then it is best not to bathe before it is done, because bathing washes away evidence. Many survivors/victims feel dirty after defilement or rape and want to bathe right away. If the survivor has bathed already, do not criticize her. The medical exam can still be completed.

Victim- blaming: It is possible that participants will say that she is partly responsible for the rape, because she accepted his offer to carry the rice and allowed him into her home (or for other reasons). Help participants challenge these beliefs by asking them: Is it possible to accept help from a stranger, and nothing bad will happen? (It is.) Do all strangers in the home commit violence? (No.) The idea we want to give them is that this act of rape was a **choice** on the part of the perpetrator/rapist, and was in no way the responsibility of the survivor.

It is very important for individuals and communities to place blame for these acts where they belong- with the perpetrator. If we continue to blame people for being victimized, then people will continue to remain silent about abuse and violence. They deserve our help. We need to create a culture of acceptance and understanding about abuse, and part of that means placing responsibility where it belongs. Even if a person did something that the community considers dangerous, such as going out at night, this is not a crime that deserves the punishment of rape or violence. It is the perpetrator who deserves punishment, not the victim.

Session 4.3: Action taken for Survivors/victims of Violence

Length 30 minutes

Procedure:

Point to the Consequences/After-Effects list and remind participants of the previous discussion. Be sure to refer to this list also throughout this session.

Prepare a flip chart with the word **RESPONSE** and read it aloud.

Ask the group what kinds of help a survivor might need to reduce harmful consequences. As they offer response actions, write them on a blank flip chart, categorise their answers under 4 headings: Health, Safety, Emotional and Justice.

Emphasize that response to GBV is a multi-sectoral and multi-disciplinary approach; different sectors or departments of the government and civil society actors must join hands and work together.

Close the session by pointing out that we can provide good quality response services **ONLY** if survivors/victims report incidents of GBV and seek assistance. We must create an environment where survivors/victims feel they can safely come forward with their stories and get the help they need. We must earn the community's trust and respect confidentiality in order to see this happen.

Points to note

Response is means providing assistance or support to reduce the harmful after-effects of GBV and prevent further injury, trauma, and harm. Response includes action to:

- Assist/support the survivor
- Reassure the survivor of safety
- Prevent any further harm happening to the survivor

Response, then, includes action in the following sectors/functional areas:

- Health care: medical examination, treatment
- Psychosocial assistance: Psychological and emotional support and Social acceptance and reintegration
- Safety: removing the survivor from the dangerous environment and putting in places effective measures to prevent the harm from continuing
- Justice—formal and traditional through Police, Courts or religious and clan leaders

Emphasise that all must work in collaboration with one another

Point out that not all survivors/victims need—or want—all of this help. Our job is to ensure that services are available, accessible, and of good quality. Do not force a survivor to take the help offered. That remains the decision of the survivor and those wishes must be respected.

Session 4.4: Guiding Principles

Length 30 minutes

Procedure

Begin the session by reminding participants of the consequences and after-effects discussed earlier. Highlight the emotional and social issues brought out in that discussion.

Explain that all actors who provide services or assistance to survivors/victims must bear in mind those consequences—and follow a set of Guiding Principles in their work with survivors/victims. These principles guide the work that we do in every way.

Write the three guiding principles on the flip chart:

- **Safety**- Ensuring the safety of the survivor, her family, and those helping her.
- **Confidentiality**
- Respecting the wishes, dignity and rights of the survivor at all times

Go through each principle using either lecture and or discussion.

Ask how participants can ensure that each principle is carried out. Some examples of discussion points under each principle are as follows:

Safety

1. How would you ensure a woman's safety if she is living with the perpetrator?
2. What do you do if a survivor does not want to report the incident?

3. Developing an individual safety plan with a survivor is important—discuss with survivor things like “if you fear for your safety, where can you go?”

Confidentiality

1. How do you handle the concept of confidentiality when the survivor is a 5 year old child?
2. How can you maintain confidentiality in a small community?

Respect

1. Do not ask inappropriate questions like “are you a virgin?”

All survivors/victims have different ways of coping, and we need to be considerate of them.

Points to note

All actors must abide by the Guiding Principles at all times. No exceptions.

If safety, confidentiality, or respect are breached or compromised in some way by those who are helping, then the helpers will actually be harming the survivor. This must never happen.

Refer back to these principles often in the workshop, as they are at the center of any response to GBV.

1. Safety

- Ensuring the safety and security of the survivor should be the number one priority for all actors, at all times. Remember that the survivor may be frightened and need assurance of her individual safety. In all cases, ensure that she is not at risk of further harm by the perpetrator or by other members of the community.
- If necessary, ask for assistance from the police or other authorities.
- Be aware of the safety and security of the people who are helping the survivor, such as family, friends, or social workers, and health care staff.

2. Confidentiality

- At all times, respect the confidentiality of the survivor families.
- Share only necessary and relevant information (not all details), ONLY if requested and agreed by the survivor, with only those people involved in providing assistance.
- Information about GBV reported incidents and GBV survivors/victims should never be shared if it includes the individual's name or other identifying information. Information concerning the survivor should only be shared with third parties after seeking and obtaining the survivor's (or their parents,' in the case of children) explicit consent.
- All written information must be maintained in secure, locked files.
- In meetings, there may be times when a specific GBV case is mentioned. Ensure that no identifying information is revealed, disguising details as needed to protect the confidentiality of the survivor.

3. Respect

All actions taken will be guided by respect for the choices, wishes, rights, and dignity of the victim/survivor.

Some examples:

- Conduct interviews and examinations in private settings and with same sex translators, wherever possible.
- Always try to conduct interviews and examinations with staff of the same sex as the victim/survivor (e.g., woman survivor to woman interviewer or health worker)
- Be a good listener.

- Maintain a non-judgmental manner.
- Be patient; do not press for more information if the survivor is not ready to speak about her experience.
- Ask survivors/victims only relevant questions.
- The prior sexual history or status of virginity of the survivor is not an issue and should not be discussed.
- Avoid requiring the survivor to repeat her story in multiple interviews.
- Do not laugh or show any disrespect for the individual or her culture, family or situation.

Session 4.5: How to Respond to a Survivor

Length 30 minutes

Procedure

On a flip chart, write the headings “Do” and “Do Not.”

Ask participants what they could say to a survivor of abuse who has come to them for help. Remind participants that some of the main concerns of survivors/victims are **not being believed, feeling ashamed, feeling alone, and feeling out of control**. What would they say to help the person with these feelings and thoughts?

Points to note

Remind participants about always following the Guiding Principles- safety, respect, confidentiality.

Some key things to say to survivors/victims that can be helpful:

- I believe you.
- It's not your fault.
- You are not alone.
- I am here to support you.
- You are valuable.
- You did not deserve this.
- You did not do something to make this happen.

Some things to avoid saying to a survivor:

- You shouldn't think about it
- You shouldn't feel that way (*This is controlling her feelings- she should be able to feel any way she wants about it.*)
- Why did you go there alone/let him in/etc? (*Blaming her for what happened.*) · Why didn't you scream/run/fight harder?
- Why were you outside at night? You know that is dangerous.
- You should be more careful next time.
- You need to go to security right away about this. (*Telling her what to do.*)
- Your children need their father. You need to be a good wife and take care of them. (*Imposing your judgment and opinions on her life.*)

- Why don't you try not to make him angry next time? (*Giving her responsibility for what happened, when it was his choice to be violent. Making her feel as if she failed to be in control of the situation.*)

Summary

- Respectful and confidential services are necessary to address the harmful consequences and after-effects of violence related to health, emotional, social, and security issues.
- Effective Prevention arises out of understanding the root causes of GBV and the contributing factors specific to the individual setting—and establishing strategies to reduce or eliminate them.
- Both prevention and response require action from a variety of sectors, specialties/ disciplines, organizations, groups.

Session 2.4 Human Rights, Roles and Responsibilities

Length 30 minutes

Objectives of the session

- To understand the terms human rights, roles and responsibilities

Procedure

Write "Human Rights" on the flip chart. Ask participants- "Who has human rights?" and write their responses on the paper. Discuss the concept that everyone has human rights.

Ask the respondents who or what grants human rights. Discuss the concept that nobody has to give these rights to you because you have them automatically from birth.

Ask participants for examples of human rights and write their responses on the paper. Discuss.

Points to note

Human rights are universal, inalienable (cannot be taken away), indivisible, interconnected and interdependent.

Everyone is entitled to all rights and freedoms, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Prevention of and response to gender-based violence is directly linked to the protection of human rights.

As we enjoy our rights we should not infringe on the rights of other people. Acts of gender-based violence violate a number of human rights principles enshrined in the constitution. These include, amongst others:

1. The right to life, liberty and security of person,
 - The right to the highest attainable standard of physical and mental health
 - The right to freedom from torture or cruel, inhuman, or degrading treatment or punishment
2. The right to freedom of opinion and expression, to education, to social security and to personal development
3. The right to freedom of movement
 - The right to enter into marriage with free and full consent and the entitlement to equal rights to marriage, during marriage and at its dissolution.

4. The right to cultural, religious, political and public participation, equal access to public services, work and equal pay for equal work.

The law and policy on human rights

Several international instruments (Refer to Annex IV) specifically address sexual and gender-based violence against women and girls. These include;

- i The constitution
- ii The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- iii The United Nations Declaration on the Elimination of Violence Against Women
- iv The Beijing Declaration and Platform for Action

Introduction to Alternative Dispute Resolution

Advocacy

What is Advocacy?

Advocacy is a broad term. In fact, advocacy plays a role in all other tools and methods employed by paralegals. Advocacy can take the form of talking with Ministry of Agriculture officials about problems farmers are facing within a particular program. Advocacy is also involved in explaining a human rights concept to a party and urging at party to accept a fair mediation agreement. When a mediator or a paralegal assists a client in pursuing police prosecution, that paralegal is advocating with the police. Even a presentation at a community meeting entails advocacy.

Generally, advocacy is about sustaining a dialogue with people in support of a particular point of view or action. It is about making a single party, a powerful institution, or a village aware of an issue and urging action. A paralegal may advocate in writing – by sending a letter to a foreign mining company, for example. Or a paralegal may advocate in person – by meeting with that company's official.

In a nut shell advocacy addresses

1. Exclusion and discrimination in the social, political and economic arenas
2. Unpopular laws and policies that are not good for the people
3. Abusive behaviour by institutions or individuals working in those institutions
4. Harassment and threats to the lives and safety of advocates by the state
5. Disrespect for people's humanity and dignity
6. Disrespect for a person's or community's identity-culture, race, ethnicity, symbols etc

Effective Advocacy

To be effective, a paralegal must be knowledgeable about an issue and persuasive in his or her advocacy, while possessing creativity and the ability to utilize different courses of action. Some elements of these skills include:

Knowledge

- o Paralegals should know all of the relevant facts of a case.
- o Paralegals should thoroughly understand the desires of their clients and the root cause of the problem.

- o Paralegals should research the laws and procedures relevant to the particular case.
- o Paralegals should learn which people, institutions and organizations are the most relevant to a case so that they can effectively target their efforts.

Persuasiveness

- o Paralegals should be articulate in advocating for a particular point or action. They should be able to clearly state the objectives of their advocacy and what their clients/constituents are seeking.
- o Paralegals should be ready to call on their knowledge of an issue to support their position.
- o Paralegals must balance firmness with respect. While a paralegal should be firm in his or her position, it is also important – and often effective – to keep emotions under control and demonstrate to a party that the paralegal’s position should be listened to.

Creativity

- o Paralegals should brainstorm multiple courses of action.
- o Paralegals should carefully consider their approach. Is it best to write a letter first? To meet privately with an accused party? Should a journalist be contacted? Should the Directors or Lead Paralegals be involved? Having multiple courses of action gives a paralegal flexibility and alternatives when a particular approach does not work. It also demonstrates to a stubborn party that the paralegal can employ other options if the party will not cooperate with a particular approach.

Paralegals should always remember that the Directors and Lead Paralegals are available to assist in their advocacy efforts. Directors and Lead Paralegals can recommend courses of action and, importantly, can access high levels of government and other institutions when necessary.

2.5.3 Advocacy Letters

Paralegals often employ advocacy to encourage action from a large institution. A common first step is to initiate a dialogue with the institution via a letter. An advocacy letter must do several things in a small amount of space. It should briefly introduce the mediator or paralegal concisely describe clients, their problem with the institution, and key facts; precisely request an action or next step; and make clear how the advocate will proceed in the matter.

The paralegal must convey all of this information while maintaining a firm but professional tone. Although wild and emotional accusations should be avoided, the letter should make very clear the advocate’s concerns and expectations regarding the matter.

What is Advocacy

It can be defined as a deliberate planned and sustained effort to advance an agenda for a change. Advocacy consists of organized efforts and actions that use the tools of democracy to establish and implement laws and policies so as to create a just and equitable society. These tools include lobbying, negotiation, bargaining, mass mobilization, civil action (including civil disobedience), court actions and holding of elections.

1. Advocacy deals with questioning power or policy makers and asking them to provide answers to the question of who gets what; how much one gets and how soon?

2. Advocacy aims at changing social institutions by helping advocates to gain access and a voice in the decision making of such institutions; and to change the power relationships within and among those institutions.
3. Advocates try to persuade and influence decision makers or those with governmental, political and economic power, to adopt and implement public policies that will improve the lives of those people with less political power and fewer economic resources.
4. Advocacy resists the unequal power relations such as patriarchy and dictatorship. It questions the existing unequal power relations in society so as to ensure that the poor, the voiceless and those people that have been marginalized or historically left out of the decision making processes are heard and included.

3.2.

Types of advocacy

Confrontation/adversarial advocacy:

This is when you tell a policy maker that you went wrong.

Tactics used under this advocacy method include; strikes, marches, protests and petitions etc.

Constructive advocacy:

is when you tell a policy maker that I have this idea will it work and how can we work together.

Tactics used include; meeting with policy makers, proposing strategies for change, conducting research and publicising, building alliances with the policy makers

What you need to Know before Doing Advocacy

Understand where the Power or Influence lies

Power is the ability to create that desired change or effect, especially in situations of opposition. At the district or local government level, the people with power include the LC 5 or District Councils, local government personnel led by the Chief Administrative Officer (CAO), and various development partners, NGOs, private sector and public sector. An advocate must therefore understand that:

- * Power can be limited, unlimited or shared. The people that do advocacy seek to share the power so that they are involved in the making of decisions that will affect people's lives.
- * Power is always changing and it is rarely given or yielded. Power must be won through resistance or struggle and thus the need to constantly engage those people with power.
- * Not all power relies on threats, coercion or force, command or having huge amounts of money. Power can be got through taking strategic actions (such as advocacy) that engage public problem solving processes by being innovative and using people's knowledge, experiences and stories.

Different Forms of Power

There are different forms of power that include:

- a) **Political Power**- is the ability to control or exercise authority over people or institutions or the ability to influence institutions through which law and policies are made and implemented.
- b) **Economic Power**-is the ability to control the means and place of production, including working conditions and wages.
- c) **Social Power**-is the ability to control or influence people in hierarchical or patriarchal relationships in the family and other social contexts.

Sources of Power

In order to effectively influence the power structures at the district level, the paralegals and mediators and groups may use any of the five major sources of power that include:

1. The power of the people or the citizens' power
2. The power of direct grassroots experience or grassroots linkages
3. The power of information and knowledge of their local communities and their own situation
4. The power of constitutional guarantees or rights
5. The power or moral convictions or belief of what is right and just in their communities

Know that Advocacy is Risky

People or groups that will engage in advocacy activities must be prepared to face immediate threats and risks that come from the social change they are advocating for. Right from the start, the women must be made to understand that there are constant risks to one's life, family or even community or group, when involved in any form of struggle. People with power will not be willing to give it up and it is therefore important to prepare for that struggle. The women should know that usually people who prepare for risks are less intimidated by threats and even violence from those people with power.

Appreciate that Advocacy Must be People Centered

Community-based advocates must realize that grassroots organizing and mobilization gives credibility, legitimacy and bargaining power to policy advocacy.

Therefore their experiences and knowledge of the conflict they endured and the current situation within their communities needs to be heard and respected by decision makers. By helping the ordinary people to learn and participate in public life, women advocates will be able to build the people's confidence and facilitate their empowerment to believe that change in their lives is possible. The women who will be involved in advocacy should therefore help to create opportunities for ordinary people to be able to:

- * Define their own issues, objectives, and strategies based on their needs and wants, for example is their priority under the PRDP security; water, health, education or credit facilities to strengthen their agricultural production?
- * Identify common issues within the group and communities that may be divided by gender, social class and other differences. What actually brings the women or the people in the community together?

- * Participate in the entire advocacy effort, which may include providing leadership, strategy development, building relationships with experts and allies, meeting with government officials and other local leaders in the community and participating in discussions, protests or even demonstrations.
- * Learn by doing, from both their successes and mistakes – by giving the local people a chance to get involved in advocacy, they will develop the necessary skills, discipline, and deep understanding of the difficult ways in which the political processes work and how the PRDP is implemented.
- * Remain connected-People doing advocacy must work hard to stay connected with and remain accountable to the local people whose interests they are serving. The women advocates always ask themselves:
 - i. Are we giving a voice to those people whose voices are not fully heard?
 - ii. Are we able to motivate people to become actively involved in the advocacy process?
 - iii. Are we taking time to learn from the people's experiences or from the affected groups?

Build Public Support for your Issue

In order to move the advocacy issues forward, advocates must be able to get public support. They must try and find ways of bringing the unconvinced to their point of view. They should share their opinions and interests with the community and the general public; and also work with like-minded people or organizations, including the local government structures or NGOs at the national level.

Build Free Spaces Where you can have Safe Discussions

Having safe discussions requires that you develop a culture of listening; a sense of community responsibility and a culture of people's legitimate participation in public argument and problem solving. In the PRDP advocacy the women councilors and women's groups must learn how to organize and share experiences with other people. They should raise those issues that would otherwise be avoided, collaborate and engage with people who are different from them in terms of views or opinions, generation or social class.

3.4.6. Actively engage the power holders or decision makers

Real change can only happen when mass mobilization and other forms of outside pressure exerted on the institutions that need to be changed within the PRDP implementation structures. The advocates must know what they want and present it to the policy makers in the best possible manner.

Stories provide a tremendous source of power to both the person telling the story and those listening. Stories help people to make connections between their day-to-day lives and other communities, issues or struggles. Story telling also assists people to create a culture of participation, active listening and learning. By telling their stories or listening to those told by other people about the PRDP, the women advocates will be able to reflect on their own experiences so as to learn from both their successes and mistakes and be able to use the acquired knowledge in future advocacy activities.

Advocacy requires leadership that is creative, innovative and supportive to all the people that are involved in the process. For successful advocacy of the PRDP implementation the women advocates must rely on a group of leaders that share amongst themselves the different

Community-based Mediators and Community-based paralegals

Objective

To provide the participants with a clear understanding of who a community-based mediator or a community-based paralegal is

Procedure

Explain Mediation

Mediation is a process in which a person helps two or more parties reach a resolution to a conflict or disagreement. Mediation may be thought of as “assisting conflicting people or groups to negotiate.”

A mediator is a negotiator who uses different skills to assist people negotiate and come to a fair agreement.

Through active listening, paralegals and mediators often help parties reach amicable solutions. Mediation generally offers quicker and more affordable solutions to justice and social problems than formal and customary courts.

Ask the participants to give scenarios that they have been involve in, maybe cases involving families or neighbours. Ensure no names are mentioned to protect the identity of the persons involved.

Emphasise that a central component of mediation is “informed consent.” Participants should understand the nature of the mediation process and effectively consent to participate in it.

What are the Benefits of Mediation

Procedure

Ask the participants to list the benefits of mediation. List these on a chart. Let them consider the difference between finding settlements through court processes versus via mediation.

Points to note

Mediation is less costly (no lawyer or court fees) and takes far less time than formal court proceedings.

Furthermore, mediations are less acrimonious than litigation; parties are not seeking a winner and a loser: and skilful management by a mediator will help to transform parties' bitter

feelings to focusing on constructive dialogue. This makes mediation an especially useful tool when the parties come from the same village or family, or if they work together and will continue to interact regularly with each other in the future.

Mediation is also an attractive option when parties do not trust other dispute resolution processes or when such processes are influenced by biases or power imbalances that favour one party over another.

Important – The participants should remember that, when acting as a mediator, they are not working for one party or the other. To be an effective mediator, you must be unbiased and neutral. Your goal is to help the different parties to reach an agreement that achieves justice and benefits both parties, not just to help one party get as much out of the other party as possible.

Mediators and Paralegals should remember that mediation might not be the best approach in every case. If mediation fails to cure an injustice, paralegals can help clients pursue other means of redress.

Mediators and Paralegals should also always be conscious – and make sure that other parties are aware – that mediations are still governed by legal and justice concepts. For example, even though mediation agreements are the product of negotiation between parties (with the assistance of a paralegal/mediator), they should still provide a genuine remedy to a disagreement. Moreover, they cannot commit any party to an illegal course of action.

The Mediation Process

Objective

To develop the practical skills of the participants to conduct mediations and carry out paralegal duties

Procedure

Explain that mediation has 8 basic steps which mediators and Paralegals should follow for an successful mediation.

8-Step Mediation Process

1. First Contact with First Party

Paralegal introduces him/herself. Following this, the paralegal creates a confidential environment, listens to the party's story and records it, acknowledges feelings, shows empathy and builds rapport. He/she then explains the process of mediation and the role of the mediator, the nature of confidentiality, the fact that it is a voluntary process, and his/her neutrality. If the party wishes to continue with mediation, the paralegal will proceed to the next step.

2. First Contact with Second Party

Paralegal visits or contacts the other party and informs him/her of the complaint of the first party. The paralegal repeats the processes in 1 above, for example, creating a confidential atmosphere, listening and recording the second party's version, etc. The paralegal then secures an agreement from the second party to mediate.

3. Preparation

Consider elements of dispute e.g: who should attend, whether there are any human rights or legal factors to consider. If unsure, paralegals do a bit of research or consult others. Confirm date, time, and venue for mediation.

4. Opening

Make sure everyone is comfortable and appropriately seated. Explain process. Remind the parties of confidentiality, neutrality, and the voluntary nature of mediation. Check authority to settle. Set ground rules e.g.: no shouting/interruption; parties should approach each other with respect. Each party tells their story. Paralegals must avoid making exclamations or interrupting stories, except perhaps for brief clarifying questions. Afterwards, the paralegal summarizes what has been said, identifying either side's key claims and confirming whether s/he has understood their feelings and concerns correctly. The paralegal encourages each party to acknowledge the perspective and emotions of the other side, and describe their reactions to what they have learned.

5. Caucus

Exploration phase. Private meeting. Review Opening Phase. Check understanding. Again, active listening and questioning skills. Clarify assumptions. Explore other hidden issues. Identify Party's concerns, needs and interests. Allow emotions. Acknowledge differences. Empathy. Help Parties consider other's position. Look for common Ground. Maintain safe environment. Maintain focus but move to thinking of the future.

6. Finding Common Ground

Move from problems to solutions; from the past to the future. Generate/evaluate options and highlight areas of agreement/offers. Note conciliatory gestures/concessions.

7. Settlement

Joint meeting. Construct simple terms of agreement. Check no human rights or legal violations. List obligations on all sides. Read aloud. Check to confirm that it satisfies all needs and interests and responds to issues listed at outset. Check all agree. Include fall-back arrangements. Arrange follow-up. Acceptable settlements are written up according to a standard template and signed by parties, witnesses and paralegals. Each is given one copy of the settlement and one copy is kept on file at the office. Explore possibility of immediate commencement of compliance by both sides as a mark of good faith. Close mediation. Congratulate Parties.

8. Post Settlement

Paralegals debrief. Complete report and Case Record. After agreed period, visit parties to check/monitor whether settlement is proceeding well or if more help is needed.

Mediation Techniques

Distinguishing Interests from Positions

When mediating, it is important to distinguish a party's *interest* from their *position*. A *position* is the party's outward demands when coming into negotiation. A position often comes in the form of a demand for a sum of money or the completion of an act by the other party, like finishing a task or returning a possession.

An interest is what is really important to that Party which would explain why he/she is making such demands or is refusing to meet another's demands. For instance, a party may take the *position* that another party should be punished with an enormous fine, while his/her underlying *interest* may be a desire to make the other party acknowledge and understand the hardship suffered. Demanding punishment may be a stand-in for what a party really wants: an apology and genuine contriteness for what has been done.

A party may hold a firm position because he/she thinks that is the best way to get at what he/she wants. Often, however, a party can achieve what he/she wants via other means. A mediator's task is to help

parties identify their interests and explore ways of satisfying them in a way that they may not have envisioned before.

For example: A mother's *position* may be that she wants Shs 30,000 a month from the father of her child. However, her *interest* may actually be that she wants her child fed, sheltered, and provided with proper medical care. An unemployed father, for his part, may defend his *position* that he cannot pay money, but his *interests* may revolve around the child's well-being as well. Suppose the father is unable to provide the money, but can nevertheless offer food from his farm, space in his home, and ask a doctor friend to check in on the child. A mediator can help draft an agreement setting up this arrangement. Such a solution would set aside the parties' positions and satisfy their *interests*.

A key skill employed in uncovering a party's interests is *active listening*. By actively listening, a mediator can sense the concerns and motives that underlie parties' positions. Once discovered, these concerns can be brought to light by a skilled mediator, who will ask questions, rephrase statements, or reframe the dispute in ways that will encourage the parties to contemplate their real interests, question their assumptions, consider their own words, and most importantly, consider the interests and concerns of the other party, of which they may not have been aware of previously.

Interviewing Clients

Objectives

To provide the participants with an understanding of an effective interview and the different stages of an interview process

To teach listening and communication skills.

Procedure

Ask the participants what they understand by the word 'interview.' Ask them to list different words in their local languages that mean 'interview.'

Select 3 couples to conduct mock interviews. Ensure different dynamics; for example, male interviewing female, young interviewing older person and an interview for a person with a hearing impediment., and another with a young child.

Ask the interviewers to prepare a set of questions, and the interviewee to adopt the character assigned. Let them act it out.

Points to note

Interviewing is a conversation designed to help you, as a paralegal, gather and understand the **client's** questions, problems or claims.

An interview is an important and preliminary step before you can advise or assist the **client**. An **interview is a process that has five stages**

STAGE ONE – Preparation

Prepare yourself mentally. Make sure you have enough time for the interview. Identify and organise an appropriate place for the interview (see Section 3 – Receiving clients)

Have the interviewing tools ready, e.g, Client Form, pen, paper, file, etc.

If it is a follow-up interview make sure that you have done what you had previously committed to do. Ensure you have the client's file or documents that may have been provided previously

Section 4 Interviewing clients ♣ Be prepared to share the results of your research and/ or actions with the client ; and ♣ Discuss the various options available with the client .

Stage Two: Meeting the client

Greet the client politely in a welcoming manner; friendly but maintaining a professional distance. Give the client time to sit down and settle. Make sure he or she feels safe, secure and comfortable. Ensure the interview environment provides adequate privacy. For a female client ask if she would prefer to speak to a female paralegal or mediator •

Introduce yourself to the client Explain your role as a community-based mediator or paralegal and the services you can and can not provide.

Ask the client how she or he came to learn of your services. Explain how the interview process will proceed, i.e. that you will take notes during the course of the interview, ask a number of direct questions, and fill out a Client Form.

Reassure the client that the information she or he provides will remain confidential. Confirm that the client has understood the process and agrees to proceed with the interview.

Stage three - The interview

Confirm the personal details of the client : name, physical location, telephone, etc., and write the client 's responses on the Client Form. Ask the client to briefly explain her/his case. At this point it is important not to interrupt the client only do so to clarify an important point. Ask 'open ended' or probing questions to provide an opportunity to explore the case with the client and to identify possible legal aspects that the facts relate to.

Caution: At this stage you feel that this is not a case that you as a community mediator or paralegal are able to handle. This may be because the client does not have a legal problem (i.e. the problem may be social, psychological or economic). In such a situation you may want to recommend that the client seeks the help of a someone better suited or more knowledgeable than you. E.g, a lawyer, trained counsellor or social worker, police officer, health worker, e.t.c. or from a specialised organisation in that field and refer the case accordingly.

Ensure that the client understands why you are referring her/ him to this specific person or organisation. Follow up with specific questions to clarify any facts. Ensure that you understand the nature of the case being presented to you, that the facts are not contradictory and that there are no information gaps. In your mind identify the type of action or follow-up required for this case. This will depend on the specific elements of the case and your experience as a paralegal.

If there is no need for a referral explain to the client the various options available regarding her/his case. It is essential that the client makes the final decision on which type of action to take; and provide the client with the relevant information and/ or documentation depending on the case and type of action chosen by the client

Stage four – Closing

Agree on the next steps together: identify what further information the client needs to provide and what you as a paralegal need to do (if necessary). If necessary, arrange for a follow-up interview with the client. Thank the client for coming to see you and show the client the way out.

Stage five – Documentation

Finalise your notes and comments on the Client Form, date and sign them. Note the next steps that need to be taken, who will take them and when and file the Client Form in a safe and private place according to the organisation's filing system.

Interviewing Skills

Any mediator or paralegal needs to develop the following skills to be able to have a successful interview:

1. Listening

Ensure that your body language makes the client feel at ease and feel that you are listening to her/him. Give the client enough time and a quiet environment in which to speak. Do not interrupt the client when she or he is speaking unless to clarify an important point

Make neutral remarks – 'yes', 'hmm', 'I see', to show you are following the conversation and are interested in what the client is saying.

Ask relevant follow-up questions after her/his presentation of the case.

Ensure that your reactions are not judgmental i.e. by showing shock, etc. Do not let personal beliefs drive your responses.

Avoid any distractions that may interfere with your ability to listen and your client's concentration, i.e. music in the background, etc.

"Listening is both being silent and being an active listener." It requires using all your senses to understand the non-verbal messages communicated by the client.

Questioning techniques:

Use a tone of voice that shows interest, concern, and friendliness. Ask one question at a time and wait for the answer before asking the next question. Ensure that the questions you ask follow a certain logical sequence or order. If the client does not understand the question, repeat the question again or ask it in a different way. Ask open ended questions to provide an opportunity to explore the case with the client. Continue to seek to understand the client by clarifying statements made, summarising the information, restating or repeating it back to the client. Avoid 'why' questions. They will seem to the client like you are judging her/him.

What are open ended or closed questions?

Open ended questions; 'What, who, where, when, how' questions are ones that allow or elicit for a variety of answers. Example: How did you the disagreement start?

Closed questions; These questions encourage simple 'yes' or 'no' answers. These are usually leading questions and only provide one answer responses. Example: Did you steal your neighbour's maize?

2. Communication

Communication is the way in which we send or transmit a message using words, signs or body language, aiming at creating understanding. You should always try to be aware of the messages you are sending or transmitting through your body language – otherwise there is a risk that you will unintentionally send or transmit the wrong message. Be aware that everything you say or do not say communicates a message to the other person. Clear communication increases understanding.

Main elements in communication:

Be confident – the client needs to feel you know the subject matter. However do not pretend you know things that you do not.

Sit or stand at an appropriate distance – so that the client has some space but does not have to speak too loudly. Also pay attention to cultural/social practices/values, for example, sitting so close to an elderly woman or man, or speaking to them while standing may be considered rude and disrespectful.

Maintain eye contact when speaking. Again, be very mindful of social expectations and values. Eye contact in some cultures may be mistaken for disrespect, awkwardness or romantic interest in a person.

Speak confidently in a language that your client understands and speaks. This can be a barrier if not handled properly.

Be aware of the effect of your personal communication style and how it impacts on others. Ensure that you are not intimidating the client. Talk less than the client and allow short periods of silence. Do not rush the client or act impatient.

Caution: How you are dressed as a paralegal could cause comfort or discomfort to the client. Therefore always be sensitive about how you dress depending on each situation and that you are dressed in a culturally respectable and sensitive manner

Interviewing children

Objective

To provide practical skills of handling children

Always consider the following questions;

1. How old is the child?
2. Is the child a girl or a boy?
3. What language is s/he comfortable speaking?

4. Is the child alone or accompanied?
5. Is the child an orphan? Does s/he have a guardian?
6. Is the child traumatised?

If s/he needs counselling, first refer her/him to a qualified counsellor and/or a specialised organisation in that field.

Procedure

Sit together with the child during the interview if this will give the child more confidence. Ensure that you explain your role to the child in simple language. Do not use professional terminology or adult words that the child does not understand. Adjust your sitting position so that you are sitting almost next to the child. This enhances the child's confidence.

Do NOT sit opposite the child and have some minimal body contact with the child. The contact must only be to comfort and build trust with the child.

ANNEX

DIAGRAM FOR REFERRAL PATHWAY FOR GBV CASES:



