

# STRENGTHENING THE JORDANIAN JUSTICE SECTOR'S RESPONSE TO CASES OF VIOLENCE AGAINST WOMEN

## Executive Summary

The study researches how the justice sector currently responds to cases of violence against women (VAW), and how victims of VAW perceive and experience seeking legal redress through the Jordanian justice system.

The study reveals that the sample of judges, prosecutors and lawyers do not regard VAW as a systematic issue. In line with the current legislative framework, they appear more cautious when dealing with cases involving sexual violence. The study also identifies inhibiting and encouraging factors for filing a complaint after experiencing VAW. Among the inhibiting factors are: the lack of information about procedures, low support from society, and gaps in legislation and procedures.

## Methodology

The primary research consists of a qualitative pilot, followed by a quantitative survey. Considering there is a general lack of information on the experiences of women in the justice system, a qualitative pilot was conducted to inform the development of the quantitative research. The pilot consisted of in-depth, semi-structured interviews of eight victims of VAW. Using the findings from the qualitative pilot, a closed-ended questionnaire was developed aiming at collecting the knowledge, attitudes and practices about cases involving VAW from a sample of 163 "Justice Sector Personnel" (JSP). The questionnaire comprised three parts. First, the JSP were requested to provide some basic demographic information to help with analysis of the survey data. Second, the questionnaire tested the JSP on their knowledge of the legal framework of VAW. Third, the JSP were questioned on their knowledge of the

prevalence and nature of VAW cases in the Jordanian justice system, their attitudes towards those cases, and their response to hypothetical case scenarios.

## Findings

### A. Prior to making a complaint

Almost all women interviewed during the qualitative pilot came from low socio-economic households who either practiced violence against women or accepted it, and which had low levels of education and legal awareness. This suggests that women in these circumstances are more vulnerable to experience VAW.

The study reveals that the sample did not regard VAW as a systematic issue. In line with the current legislative framework, they appear more cautious when dealing with cases involving sexual violence.

### B. Making a complaint

All women, regardless of where they made their complaint, expressed having a sense of fear about making the complaint. While the motivation for women's decision to make a complaint varied, all women interviewed in the pilot experienced opposition by family, friends and community members to that decision.

While a majority of respondents believed VAW cases require urgent resolution, there was some evidence in both the qualitative pilot and quantitative survey that making a complaint through a government institution opposes local values, and that remaining silent may be the best option for victims of VAW.

### C. Court procedures

Almost two in three of the sample reported that, within the justice system, societal pressures to reject a claim of VAW exist.

Factors that reduce the likelihood of a sample member to support a VAW case include a belief that making a complaint opposes local values (and that silence may be the best option), that detention of the perpetrator affects the stability of the VAW case, and that the solution lies in establishing specialized units. Factors that increase the likelihood of a sample member supporting a VAW case include JSP having above average knowledge of the definition of VAW, and recognition that JSP face external pressures.

## Recommendations

### A. REMOVE FACTORS OBSTRUCTING THE REPORTING OF VAW

- Introducing and mainstreaming comprehensive procedures for filing and receiving complaints and handling cases in the justice sector is expected to increase safety of women making complaint (i.e. not sending them back home with angry perpetrators), ensure expedient processing of complaints; gender-sensitive reception of victims of VAW; and reduce risk of intimidation by perpetrator (e.g. not have perpetrator in the same room when testifying).
- An improvement in the level of information about complaint procedures available to women is expected to significantly reduce their perceived powerlessness and vulnerability when resorting to legal institutions.
- Legislative amendments are needed to encourage VAW victims to seek the help and protection they need.
- Address gaps in knowledge, skills and attitudes of all justice sector personnel.
- Training workshops are desired and seem to be having a positive effect in increasing JSP's understanding and support for VAW cases.

### B. STRENGTHEN FACTORS ENCOURAGING THE REPORTING OF VAW

- Building the capacity of the support persons (including family members, friends, counsellors and case workers) could foster a supportive environment for a victim of VAW.
- Training of the JSP should include stressing the benefits of supporting VAW cases, instilling positive feelings towards supporting VAW cases, and highlighting the appropriateness of such practices in their positions as JSP.

- Legislative amendments: Besides amending and introducing new legislative provisions in the Penal Code, a broader examination of laws impacting on the position of women in Jordan is required (eg. the Personal Affairs Law) in order to achieve higher equality in power relations between men and women within the family unit.
- Improving better cooperation and information exchange between stakeholders involved in protection and justice (in particular police, women's rights CSOs and community groups).

### C. UNDERTAKE FURTHER RESEARCH INTO VAW

- Broader qualitative research into the experience of victims of VAW.
- Further analysis of court record data about VAW cases.
- Encourage the development of indicators for success in countering VAW and longitudinal follow up on cases to develop an understanding of the impact of legal pursuit on the lives of VAW victims.

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