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DATA ANALYSIS - VIOLENCE AGAINST WOMEN AND CHILDREN CASES

Office of the Director of Public Prosecutions



Balancing the Scales- Improving Fijian Women's Access to Justice' research report is funded by the European Union and UN Women.

Data Analysis - Violence Against Women and Children Cases

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Office of the Director of Public Prosecutions



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Recommendations

1. The ODPP consider presenting and publishing the following data on an annual basis:
 - Outcomes for violence against women cases tracking cases from police charges laid to ODPP indictments to outcome at trial.¹
2. The ODPP consider providing the following for all staff:
 - Disability awareness training focussed on attitudes, myths and stereotypes. This training should highlight the cases in which the agency provides outstanding support services to women and girls with a disability.
 - Gender sensitivity training to ensure that all staff have an understanding of the key principles and how these underpin their work. The training should highlight cases where the agency has provided outstanding support services to women and girls victims/survivors of domestic violence.
 - Violence against women training emphasising the 'No Drop Policy' for the Police and the inappropriate use of reconciliation when dealing with domestic violence complaints.
 - Training on Domestic Violence Restraining Orders (DVROs) including the requirements and process for making a DVRO application.
3. The ODPP consider collaborating with the Fiji Courts, Fiji Police and the Ministry of Health to strengthen the procedures that apply to the collection and use of forensic evidence in cases involving violence against women and children cases.
4. Consideration be given by agencies working on law reform in Fiji to the following laws:
 - Crimes Act, Section 211- Abduction of person under 18 years of age with intent to have carnal knowledge - in circumstances where the girl is aged 16-18 years of age and the sexual activity is consensual.
 - Crimes Act, Section 213- Indecently insulting or annoying any person- this is the main offence contained in the category of offences grouped as Other Against Public Morality. Under this Section, there was a 700% increase in cases from 309 in 2009 to 2491 in 2014. Subsequently, in 2015 the DPP issued a directive clarifying what actions do not constitute the offence, which resulted in a decrease of cases by more than half in 2016.

The research report with the full list of recommendations can be accessed at the following link: [Balancing the Scales: Improving Fijian Women's Access to Justice](#)

Office of the Director of Public Prosecutions: Findings

Victims and Perpetrators



sexual offence cases (rape and attempted rape, indecent assault, child sexual abuse) reported to the Fiji Police, **women and girls are the victims/ survivors**

cases of Offences Against the Person and Offences Against Morality reported to the Fiji Police **men are the perpetrators**

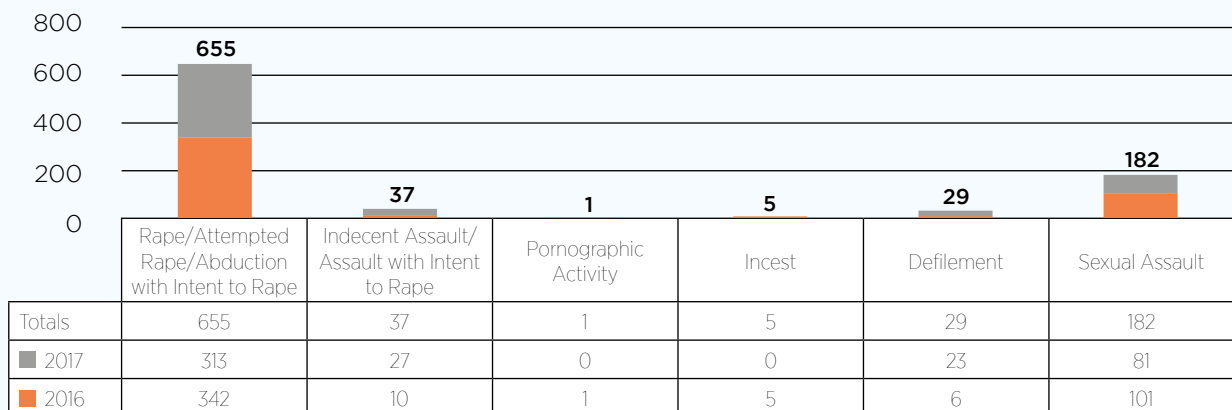
Budget Allocation

Estimate Year	Payroll (Seg 1 & 2)	Other Operations (Seg 3 to 7)	Capital (Seg 8 to 10)	VAT (Seg 13)	Total Budget (millions) FJD
2015 ²	3.4478	1.9716	0.0	2.957	5.7151
2016 ³	3.5865	2.2671	0.0	2.040	6.0576
2016/2017 ⁴	3.5865	2.0171	0.0	1.815	5.7851
2017/2018 ⁵	0.0	6.2922	0.0	0.0	6.2922

Note: 2017/2018 funding to the Office of Director Public Prosecutions is under Seg 6⁶

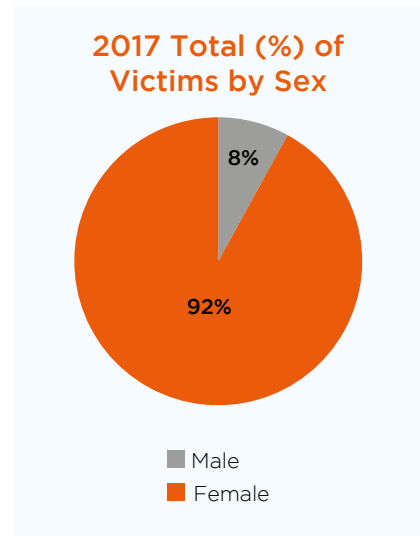
The budget allocation for the ODPP has increased from \$5.7151m in 2015⁷ to \$6.2921m in the 2017/2018 budget⁸

2016 -2017 ODPP Rape and Sexual Offences Data - Breakdown by Offence, Sex and Age

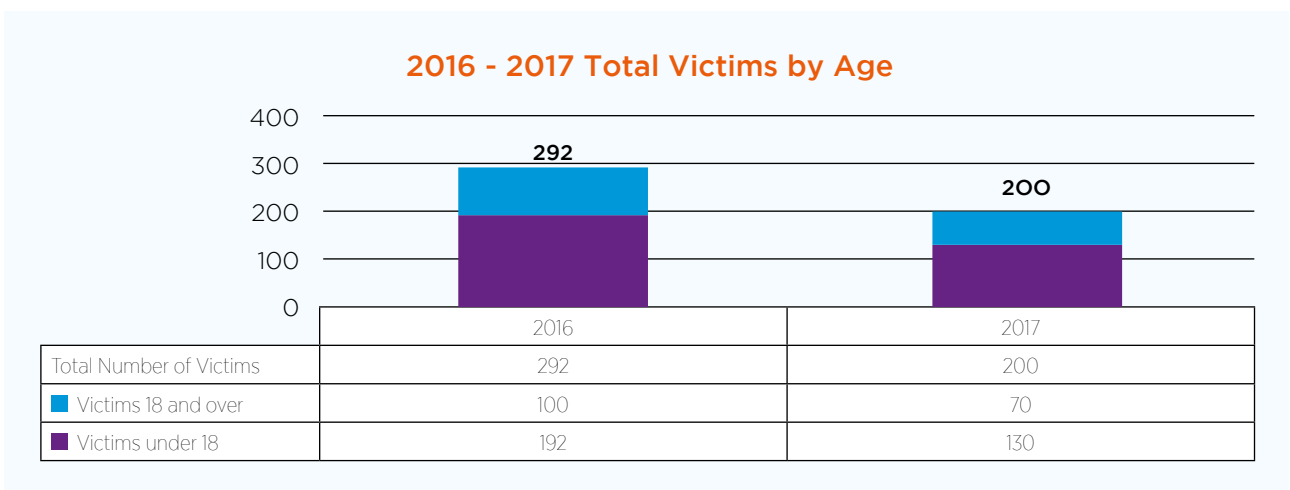


The statistics on the prosecution of Rape and Sexual Offence cases by ODPP⁹ shows that:

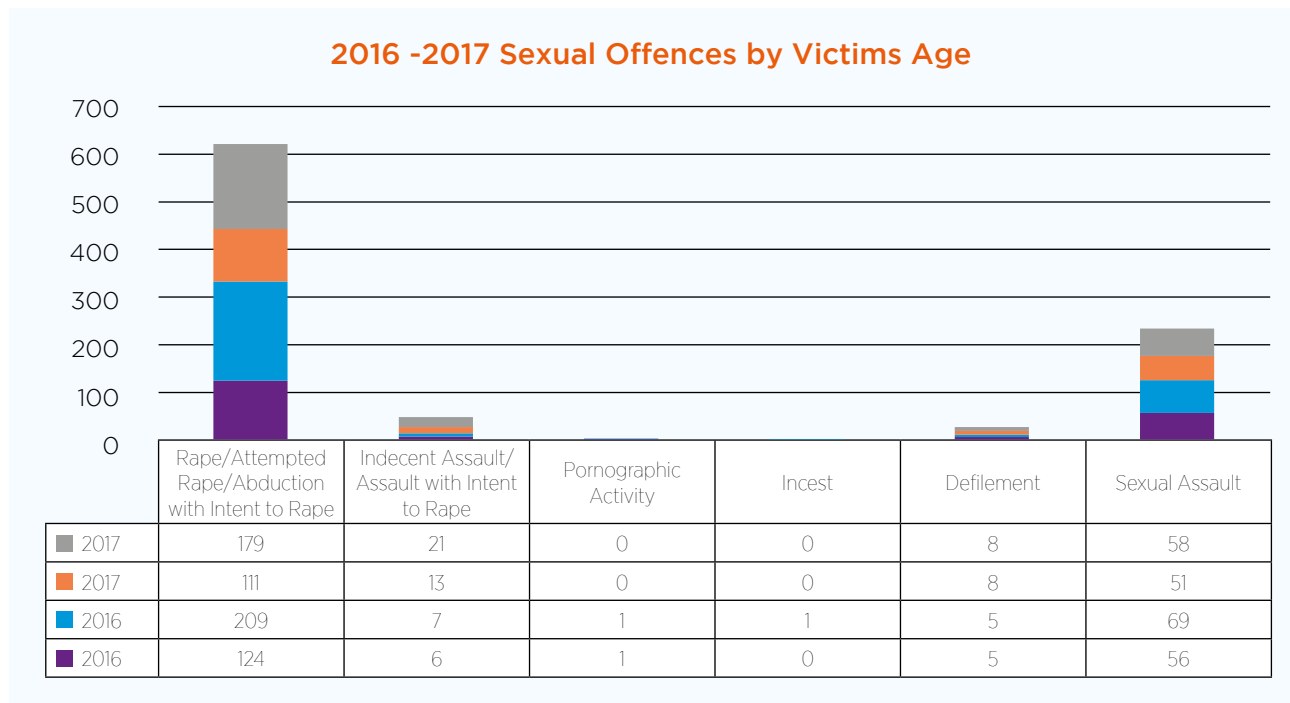
- In 2017, Rape/Attempted Rape/Abduction with Intent to Rape accounts for 70% of the sexual offences prosecuted as compared to 74% in 2016.
- In 2017, Sexual Assault accounted for 18% of the sexual offence cases as compared to 22% in 2016.
- In 2017, Indecent Assault/Assault with Intent to Rape accounted for 6% of the sexual offences cases compared to 2% in 2016.
- In 2017, Defilement accounted for 5% of the sexual offence cases as compared to 1% in 2016.
- In 2017, Incest accounted for 0% of the sexual offence cases compared to 1% in 2016.
- In 2017, Pornographic Activity accounted for 0.2% of the sexual offence cases compared to 0% in 2016.



In 2017, 92% of the victim/survivors in sexual offence cases were females in comparison to 8% being males.⁹ Sex disaggregated data was not collected in 2016 for this offence.⁹



Child victims under 18 years old in sexual offence cases accounted for 65% of victims in 2017 and 59% in 2016.¹² Victims 18 years and over in sexual offence cases accounted for 35% of victims in 2017 and 34% in 2016.¹³



Note: The number of sexual offences are higher compared to the number of victims, as there are cases whereby a single victim is subjected to more than one type of sexual offence.

In 2017, victims under 18 years accounted for⁹:

- 62% for Rape/Attempted Rape/Abduction with Intent to Rape in comparison to 59% in 2016.
- 62% in Indecent Assault/Assault with Intent to Rape in comparison to 86% in 2016.
- 100% in Defilement. This was the same for 2016.
- 88% in Sexual Assault in comparison to 81% in 2016.

Support Services for Women and Girls with a Disability

Lawyers of the ODPP have provided support to women victim/ survivors with a disability to adequately prepare them for court hearings that are stressful and difficult to understand. As a result the witnesses have successfully presented evidence and the Judicial Officers have found the accused guilty. A case study providing an example of this support is included at p65 of the [‘Balancing the Scales: Improving Fijian Women’s Access to Justice Report’](#).

Transparency: Sex Disaggregated Data and Annual Reports

1. One of the recommendations in the '[Balancing the Scales: Improving Fijian Women's Access to Justice Report](#)' was that the ODPP collect and publish sex disaggregated data related to their work on an annual basis. From 2018, the ODPP collects and publishes monthly and annual sex disaggregated data on Rape and Sexual Offenses Statistics.
2. ODPP is the only agency in the Pacific that collects and publishes on its website sex-disaggregated data each month on Rape and Sexual Offenses. <http://odpp.com.fj/media-updates-2/>
3. The ODPP does not currently collect and publish sex disaggregated data for Serious Crime (Non-Sexual Violence Offences) Statistics.
4. The ODPP has published one Annual Report from 2011-2017 that is publicly available.

End Notes

- 1 Source: Data from 2009 – 2015 retrieved from FBS (September 2017), Data from 2016-2017 was provided to FWRM by the FPF (Received May 2018)
- 2 Source: Fiji Budget Estimates 2015
- 3 Source: Fiji Budget Estimates 2016
- 4 Source: Fiji Budget Estimates 2016/2017
- 5 Source: Supplement to the 2017-2018 Budget Estimates
- 6 Source: Supplement to the 2017-2018 Budget Estimates
- 7 Source: Fiji Budget Estimates 2015
- 8 Source: Supplement to the 2017-2018 Budget Estimates
- 9 Source: Data retrieved from the ODPP website <http://odpp.com.fj/media-updates-2/> (accessed April 2018)



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