



THE REPUBLIC OF GHANA



JUDICIAL OF GHANA

## **GENDER BASED VIOLENCE TRAINING MANUAL**

### **TRAINING MODULE FOR GENDER BASED VIOLENCE COURTS IN GHANA**

#### **MODULE 3**

#### **ROLE OF THE GENDER-BASED VIOLENCE COURT**





# TRAINING MANUAL

GENDER-BASED VIOLENCE TRAINING FOR CHILD-FRIENDLY  
GBV COURTS IN GHANA

2019



**JUDICIAL SERVICE  
OF GHANA**

# TRAINING MANUAL

## GENDER-BASED VIOLENCE TRAINING FOR CHILD-FRIENDLY GBV COURTS IN GHANA

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- sustaining development through research and learning

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for every child

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# Acronyms

Act	Act of Parliament
CHRAJ	Commission on Human Rights and Administrative Justice
DoVWSU	Domestic Violence Victim Support Unit
DV	Domestic Violence
GBV	Gender Based Violence
GBVC	Gender Based Violence Court
IPV	Intimate Partner Violence
NGO	Non-Governmental Organisation
PPT	PowerPoint Presentation
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund



# Acknowledgements

This Module forms part of a Training Manual made up of four modules developed for the Judicial Training Institute (JTI) in Ghana and funded by the Danish Embassy of Ghana through the Danida Fellowship Centre (DFC). Its purpose is to train judicial service staff on gender sensitivity and gender based violence in order to improve the work of Gender Based Violence Courts in Ghana and to improve access to justice for survivors.

It was developed by a team from Tana Copenhagen in the period between February – August 2018. The work included piloting Modules 1 + 2 with 16 judges and administrative staff in April 2018 and piloting Modules 3 + 4 in June 2018 (module being piloted with a group of intermediaries consisting of court clerks and interpreters). The lead writers for Modules 1 + 2 were Alice Kerr-Wilson and Sheila Minkah-Premo with contributions from Priya Dhanani and Nadia Masri-Pedersen. The lead writers for Modules 3 + 4 were Priya Dhanani and Sheila Minkah-Premo with contributions from Nadia Masri-Pedersen. Suggestions for specific sessions were also provided by those participating in the pilot modules.

We would specifically like to thank staff from the Judicial Training Institute and the Judicial Services in Ghana for their inputs into the modules and for the cooperation throughout the process. We hope that the training manuals will continue to be working documents that will be adapted to the needs of the GBV courts and the target groups.

In addition, other individuals we would like to thank are Hilda Mensah, Muhammad Rafiq Khan and colleagues from UNICEF Ghana for reviewing and contributing to the modules from a child rights and protection perspective. Also Callum Watson from the Democratic Control of the Armed Forces (DCAF) in Switzerland and Dorcas Coker-Appiah from the Gender Centre Ghana for generously sharing experiences of training different participants on GBV.

## Resources

We drew on a range of international and national resources and good practice when developing this Module. These include:

- Participatory Learning and Action, Issue 50 October 2004
- UNDP Human Development Report 2016
- World Economic Forum (2017) Global Gender Gap Report
- UNICEF and Ghana Ministry of Gender, Children and Social Protection (2015) Investing in Children Earns Huge Dividends Summary Brief
- Danish Fellowship Center/ Grontmij A/S, 2013, Gender Equality Mainstreaming Course

- Inter-agency Standing Committee, GBV Guidelines 2015
- International Rescue Committee's GBV Response Network, 2018
- INSPIRE Toolkit, Prevention and Responding to Violence Against Children, WHO, 2017
- Atlantic Initiative, Rod i pravodude, DCAF (2017) Gender Bias and the Law: Legal Frameworks and Practice from Bosnia & Herzegovina and Beyond, 2017
- Atlantic Initiative, Rod i pravodude, DCAF (2017), Domestic Violence Benchbook Presenter Curriculum
- Harvard Implicit Association Test
- UN Women Interactive Timeline <https://trainingcentre.unwomen.org/timeline/>
- Ghana Web [www.ghanaweb.com](http://www.ghanaweb.com)
- What Works, 2014, A global programme to prevent violence against women and girls: A Summary of the Evidence
- WHO 2013, Violence Against Women: Global Picture Health Response
- Institute of Development Studies (IDS), Ghana Statistical Services (GSS) and Associates (2016), Domestic Violence in Ghana: Incidence, Attitudes, Determinants and Consequences, Brighton: IDS.
- The Women's Manifesto for Ghana, 2004, The Coalition on the Women's Manifesto for Ghana

### Images

Several of the icons used in the PowerPoint presentations were taken from [www.nounproject.com](http://www.nounproject.com). These include icons by Erik Vullings, Daria Moskvina, Aneeqe Ahmad, Gan Khoon Lay, Additional images were taken from [www.pexels.com](http://www.pexels.com), from UNICEF Ghana's website and from Prime News Ghana.

### Films

Films were not used in this module.

# Instructions for Using this Manual

Module 3 is a three-day course intended as an introduction to concepts of Gender-based Violence Court Guidelines (GBVC). Trainers should use this manual as a guide and adapt it to their specific circumstance and the participants that attend their training.

Module 3 consists of nine sessions, which are all presented with a guiding script including indications of how long each sub-section should be. Trainers should be guided by this, as we thought carefully about timings and tested them during the pilot, but also be sensitive to the needs of the group and if they need longer on a specific session and less time on another then this is possible.

Highlighted instructions are those that you need to adapt to the specific training and group of participants that you are working with. While we encourage that you include your own experience, examples and even exercises be careful when changing key exercises/content as these have been carefully selected for learning purposes.

There are PowerPoint (PPTs) presentations available for each of the sessions that you should use alongside your session scripts. We have included symbols which will show when the content of the script is referring to a specific slide to help you know when it should be presented.

For some of the sessions you will need to print out specific handouts as instructed in the session script. In the session scripts you will find a column saying ‘who?’ which is intended to help you divide the session between the trainers to clearly know who is responsible for each part of the session.

Below we present an overview of Module 4 incl. the overall objective and name of sessions. Hereafter, we present each session separately including:

- Session overview with session aim, duration, materials needed, preparation and related PowerPoint presentation
- Detailed agenda of the session
- Manuscript and instruction for each step of the session.

# Module 3

Role of the Gender-Based Violence  
Court





## MODULE 3: ROLE OF THE GBVC



### LEARNING OBJECTIVES

- Identify and become familiar with GBVC guidelines
- Distinguish role of each court staff member in applying the guidelines
- Identify gaps, challenges, and capacity in applying the GBVC guidelines to court procedures and consider the consequences of current practices
- Identify opportunities to apply and implement the GBVC guidelines to their work
- Identify areas to revise GBVC Guidelines to strengthen court provisions and code of conduct
- Recognise and understand institutional structures and partners that support or could support GBVC guidelines in the judicial system
- Identify the minimum recommended response services that must be available in a court to reduce harmful consequences of sexual violence and prevent further injury and harm.
- Develop action plan with monitoring and evaluation tools for implementation and accountability
- Design a way forward to continue revisions in order to improve the GBVC guidelines and integrate into court systems and provide recommendations
- Understand how to align best practices when working with children and adolescents and their specific needs as GBV survivors, including child-friendly methods (particularly considering the high amount of defilement cases in the GBVC courts)
- Demonstrate an understanding of a case management system and ways to integrate that into the courts to strengthen services for GBV survivors
- Identify key points of the referral system and their relationship to the courts to better support and serve GBV survivors through the justice system, and identify where partnerships could be strengthened

## MODULE 3: ROLE OF THE GBVC

 1		ENTER LOCATION AND TIME
	<b>DURATION</b>	3 Days
	<b>MATERIALS</b>	Name badges, Pens and paper, sticky notes, Flipcharts, markers, PPTs, and pipe cleaners, printed programme for Module 3, handouts.
	<b>PREPARATION</b>	PPTs and flipcharts

## AGENDA

### MODULE 3: ROLE OF THE GBVC

#### DAY 1







08.30 - 09.00	REGISTRATION
09.00 - 11.00	INTRODUCTION SESSION
10.45 - 11.00	<b>Morning Break</b>
11.00 - 13.00	SESSION 1: INTRODUCING GBVC GUIDELINES
13.00 - 14.00	<b>Lunch Break</b>
14.00 - 15.00	SESSION 2: CHALLENGES AND GAPS WITH THE GBVC GUIDELINES
15.00 - 16.00	SESSION 3: ROLE OF COURT STAFF AND GBVC MINIMUM STANDARDS

#### DAY 2

09.00 - 10.45	SESSION 4: INTEGRATE GBVC GUIDELINES
10.45 - 11.00	<b>Morning Break</b>
11.00 - 13.00	SESSION 5: MAP INSTITUTIONAL STRUCTURES AND M&E TOOLS
13.00 - 14.00	<b>Lunch Break</b>
14.00 - 16.00	SESSION 6: ALIGN GUIDELINES WITH INTERNATIONAL BEST PRACTICES

 Slide |  Instructions |  Remember |  Framing |  Discussion |  Individual Reflection |  Helpful comments

DAY 3	
09.00 - 10.45	SESSION 7: BEST PRACTICES WORKING WITH CHILD GBV SURVISORS
10.45 - 11.00	<b>Morning Break</b>
11.00 - 13.00	SESSION 8: CHILD-FRIENDLY METHODS
13.00 - 14.00	<b>Lunch Break</b>
14.00 - 16.00	SESSION 9: IMPACT OF TRAUMA AND VIOLENCE IN CHILDHOOD

INTRODUCTION		
	SESSION TRAINER	ENTER NAMES OF TRAINERS
	SESSION AIM	<p>As a result of this session, participants will be able to:</p> <ul style="list-style-type: none"> <li>• Understand the background and foundation for the development of GBV training for GBVCs in Ghana and the future trainings</li> <li>• Get introduced to trainers and participants and the actors involved</li> <li>• Agree to set of ground rules and expectations to the training</li> <li>• Participants will gain an understanding of the program and aim of Module 3</li> </ul>
	LOCATION & TIME IN PROGRAM	ENTER LOCATION AND TIME
	DURATION	2 hours
	MATERIALS	Index Cards, Name badges, Participant and Trainer Manuals, Pens and paper, sticky notes, Markers, Flipcharts and pens, PPT for team introductions, tape, pipe cleaners
	PREPARATION	PPT of team members and the overview of module 3. Print elephant game in Annex A and examples of international GBVC Guidelines from Annex B

WHEN?		WHAT?	WHO?
09.00 - 09.10	10'	Welcome & Introduction	ENTER NAMES OF TRAINERS
09.10 - 09.40	30'	Getting to Know Each Other - Participant Introductions Team Building	
09.40 - 09.45	5'	Establishing Ground Rules	
09.45 - 10.00	15'	Bring and Takeaways Activity: Establish Expectations	
10.00 - 10.20	20'	Detailed overview of Modules 3	
10.20 - 10.25	5'	Questions & Comments	
10.25 - 10.45	20'	Examples of international GBVC Guidelines	
10.45 - 11.00	15'	Morning Break	

### 30' REGISTRATION

♥ Set up before the training:

- Draft Participant Manual
- Pen and Paper
- A pack of sticky notes
- A pack of index cards
- Pipe Cleaners
- Refreshments

Participants arrive, register + pick up a badge. Then find a place to sit.

🔥 Each name badge should include: Name, Job Title and Location where the participant is based.

### 10' Welcome & introduction



**No PowerPoint for this session.**

🗨️ Welcome everybody to the 3-day course where we will be going through module 3 of the training program for Gender Based Violence Courts in Ghana! We are very pleased to have a great variety of colleagues in the room from across Ghana and representing different professions within the justice

🗨️ Slide | 🔥 Instructions | 🧠 Remember | 🗨️ Framing | 🗨️ Discussion | 🗨️ Individual Reflection | ♥ Helpful comments



sector. We hope that you didn't have too difficult a journey to get here and we are really looking forward to working with you all over the next 3 days.

- 🌟 Outline rationale and background to the course and to endorse it.
- 🌟 The trainer team introduces themselves.

🗨️ Over the next 3 days we are going to be working together every step of the way, so we need to make sure that we are comfortable with one another and aware of who is in the room. We are going to start with an activity called "What did you learn?" and after that we will make the "Elephant Drawing" Exercise.

### "What did you learn" Exercise

- Share your name and what you learned from module 1 and 2 and how you have used that information in your work to the person next to you
- Then share it with 4 more people
- Then to the entire group

🌟 When people present each other make sure that they don't go on too long and stick to the three points otherwise this exercise will run over.

♥️ If there are an odd number of people in the room then some will need to work in threes.

### "Elephant Drawing" Exercise (In Annex A)

🗨️ Now I would like everyone to please stand up. Imagine we are in a boat, however the boat is sinking so we have to get to a life raft, but there is not enough space on the life raft for everyone. So you have to be quick to get on the life raft. I will tell you the number of people who can fit on each raft, and you will need to get together with that number quickly, before the boat sinks.

🌟 Start with 2, and then call out random numbers, each time encouraging participants to quickly form life raft groups. End with 8 and state that these will be the groups in which they will work for the next activity.

When the participants have formed groups of 8, ask them to form pairs within each group (if there are uneven then one group can be a triad).

State that each pair will be given instructions. They should read the instructions carefully, and not share them with anyone else outside their pair or triad. Explain that they will have 10 minutes in their groups.

Once the groups are on different sides of the room, pass out the handouts.

### Group 1 Instructions:

- You are to draw a trunk, ears, front leg, back leg, or tail of an elephant on the paper covering the table, using a marker.
- Do not talk to any of the other pairs.
- Do not show any of the other pairs what you have drawn.

### Group 2 Instructions:

- Everyone at this table is going to work together to draw an elephant.
- You are going to draw the tail, you are going to draw etc. So each pair has a part of the elephant and you have to work together to create an entire elephant.



- Bring everyone back together
- In plenary, ask one group, how did you find this activity? Ask the other group the same question. (hold up the pictures)
- Ask, how are these pictures different? (Give time for this discussion)
- Explain that each group was given different instructions:
  - In one group, pairs only knew what they were drawing, they did not know what others were drawing, and they were not allowed to talk with each other.
  - The other group was told they could communicate throughout the activity.

When you are working in pairs or organizations with no communication or collaboration with the other pairs or organizations, it is uncoordinated, and very difficult to see the big picture and meet the objectives and targets. On the other side, if each pair or organization knows what they are responsible for and are also collaborating and communicating with the other pairs or organizations, they have a shared vision which enables them to get closer to the desired goal and to meeting their targets.

### ' Ground ru


Ask the group if there are any new/other rules they would like to apply to the way we work together, or whether it is okay to use the rules we established in module 1 and 2.

Establishing rules such as 'challenging each other to think more deeply' at the same time as 'don't pass judgement on others' can also be important. Simply asking that no one judge one another can lead to situations where every answer is correct and the acceptance of harmful attitudes etc. It might also be useful to see where rules are not working, which in turn might challenge the participants to think critically about why rules might not be as effective as anticipated.

Mention a few examples of ground rules:

- Let people speak without interruption
- Respect other people's thoughts and opinions, but challenge each other to think more deeply
- 'Pocket your status': no one has a higher or lower status than anyone else – everyone is equal
- It is fine to say you would rather not participate at any stage
- Keep it confidential – no one will discuss what people share in the room outside of it

Source: Adapted from <http://pubs.iied.org/pdfs/9440IIED.pdf>

 10' To get an idea of everyone's expectations, we are going to run an activity called 'Bring and Takeaway'. Stay in the groups that you are already in, with [THE TRAINERS/ RESPONSIBLE PERSON] leading one each. Then in each of the groups we are going to go around everyone and ask:

1. One thing that you will do to make this training a good learning experience for everyone, and
2. One thing (experience, knowledge or skill) that you want to "take away" from this module


Each group should divide a piece of flipchart paper into 2 columns headed Bring and Takeaway and note down people's responses.

10' Once you have done this we are going to come back to plenary and each of the groups is going to summarize the main Brings and Takeaways from each group. We will put the flipcharts out around the room and return to them at the end of Module 3 to see if they have been fulfilled

 Reflect on what participants brought and remark on the wealth of skills, expertise, and knowledge in the room. Summarize or highlight some of the expertise.


Refer to the "take aways" summarizing the themes that came out. Remark that most of the take aways will be covered. Point out the items that will not be addressed during the meeting.

## 20' Detailed overview of the module

 PPT presentation of the course outline of all of module 3 and ensure that Course Objectives are clear.


Handout Module 3 programme.

## CONFIDENTIALITY AND SELF-CARE


 Like last time, we want to stress the importance of confidentiality and self-care, this time we will also be addressing very sensitive issues during the workshop. We therefore request that you don't use any identifying information when referring to any cases you have referred to. Also, that we agree that any confidential information shared by anyone in this room is kept confidential and not repeated outside of this training.


There may also be issues discussed that affect you personally. If you find any of the presentations or exercises difficult to cope with you are welcome to take a break and/ or ask to speak to one of the core trainers. We have also provided a list of referral services in Accra, including for counsellors at the back of the manual.

### 5' Questions & Comments

 Before we move on to the next exercise we want to leave room for any questions or comments. What questions or comments do you have?

### 20' Examples of international GBVC Guidelines

 Now we are going to look deeper into international GBVC guidelines. It is a complex topic and courts all over the world grapple with developing and implement appropriate, sustainable, and comprehensive guidelines to work with survivors of gender-based violence and meet the different needs of adults and children and boys and girls.

 Distribute handouts to each participant. (Annex B)

] 5' On the handouts on your tables some selected guidelines are presented. Please skim the guidelines and highlight or circle pieces you think are important and then put a question mark next to guidelines that are confusing, or that you are not sure why they were included.

10' When you have finished skimming the document, please discuss in your groups what each one has circled or put a question mark next to. See if there is any overlap amongst you.

5' After a bit of discussion in the groups, please share your reflections in plenum.

 Tell participants that they should be thinking about this for our next activity after the break

### 15' Morning break







 Slide |  Instructions |  Remember |  Framing |  Discussion |  Individual Reflection |  Helpful comments

# SESSION 1

Introducing the GVBC guidelines

# SESSION 1

## INTRODUCING THE GBVC GUIDELINES

	<b>SESSION TRAINER</b>	
	<b>SESSION AIM</b>	<p>By the end of this module/session, participants will be able to:</p> <ul style="list-style-type: none"> <li>• Deepen participants' understanding of the GBVC Guidelines and their application</li> <li>• Understand the GBVC Guidelines and establish its purpose, objectives and audience</li> <li>• Begin to identify areas of the GBVC Guidelines to correct or revise</li> </ul>
	<b>LOCATION &amp; TIME IN PROGRAM</b>	11.00 - 13.00
	<b>DURATION</b>	2 hours
	<b>MATERIALS</b>	GBVC Guidelines
	<b>PREPARATION</b>	Print GBVC Guidelines for participants

WHEN		WHAT	WHO
11.00 - 11.05	5'	Introduction	
11.05 - 11.25	20'	Presentation: The Judicial system and the GBVC Guidelines	
11.25 - 12.15	50'	Exercise & Presentation: Understand the GBVC Guidelines and establish its purpose, objectives and audience	
12.15 - 12.55	40'	Exercise: Identify areas of the current draft of the GBVC Guidelines to correct and revise to improve accuracy	
12.55 - 13.00	5'	Sum up	

## 5' Introduction

### 1.1 Introduction

 This session has the following objectives:

- Deepen your understanding of the GBVC Guidelines
- Understanding the GBVC Guidelines and establish its purpose, objectives and audience
- Identify challenges in applying the GBVC Guidelines to their work
- Identify areas of the GBVC Guidelines to correct and revise.

## 20' Presentation: The judicial system and the GBVC guidelines

### 1.2 Presentation: The judicial system and the GBVC guidelines

Under Module 1 & 2 we looked at the role of the Judiciary in addressing GBV and went over the following points:

- THE JUDICIARY - Chapter 11 Articles 125 to 161 of the 1992 Constitution of the Republic of Ghana indicates that the judiciary is responsible for the court system which is made up of the Superior Courts and Lower Courts

### 1.3 Presentation: The judicial system and the GBVC guidelines

- Superior Courts – High Court, Court of Appeal and Supreme Court
- Lower courts – Juvenile Courts, District Courts, and Circuit Court
- Jurisdiction of each is set out in the Courts Act, 1993 (Act 459)

### 1.4 Presentation: The judicial system and the GBVC guidelines

- Cases touching on GBV can be initiated at any court of first instance (District Court, Circuit Court & High Court) so long as jurisdictional rules are respected
- District Court – up to GHS10,000 and criminal matters where the fine is not beyond 500 penalty units or 2 years imprisonment.

### 1.5 Presentation: The judicial system and the GBVC guidelines

- Circuit Court – up to GHS50,000 and criminal matters excluding treason, trial by indictment and offences punishable by death or life imprisonment
- High Court – Original justification in all matters, jurisdiction to enforce the fundamental Human rights and Freedoms guaranteed in the Constitution, appeals from Circuit Court and District Court etc.

### 1.6 Presentation: The judicial system and the GBVC guidelines

- Court of Appeal – Hears cases on appeal from the High Court
- Supreme Court – cases on appeal from Court of Appeal or constitutional cases based on invocation of Article 2 of the Constitution

### 1.7 Presentation: The judicial system and the GBVC guidelines

- The court system eventually handle all cases of GBV whether it is a criminal prosecution by the Police for acts amounting to GBV (physical, sexual, psychological, economic, harassment) or in a civil suit (divorce or tort actions).
- For domestic violence cases the court has the right to grant protection orders and occupation orders to ensure safety for and to give relief to survivors.

### 1.8 Presentation: The judicial system and the GBVC guidelines

- Such cases can be handled at the GBV Courts at the Circuit Court or at the High Court. The Family Tribunals that are at the District Court level also handle child support cases which are forms of economic violence. A case involving a child can be referred from the Circuit or High Court to the Family Tribunal.

### 1.9 Presentation: The judicial system and the GBVC guidelines


GENDER BASED VIOLENCE COURTS: The GBVC was inaugurated in March 2009 at the Circuit Court level to handle cases relating to GBV.

### 1.10 – 1.11 Presentation: The judicial system and the GBVC guidelines

**GBVC GUIDELINES** The GBVC Guidelines was put together to provide guidelines in the handling of GBV cases at the GBVC. The Guidelines has three main sections or chapters. An outline of the table of contents of the Guidelines is as follows:

- What is a Gender Based Violence Court (GBVC)?
- What cases does a GBVC deal with?
- Minimum standards


### 1.12 Presentation: The judicial system and the GBVC guidelines

 Individual reflection: I hope you have had time to look at the GBVC Guidelines that you received in your package. We shall now take a close look at it in the next session so as to know its provisions and how it applies to your work with regard to the GBVC.



## 50' Exercise & presentation: Understand the GBVC guidelines and establish its purpose, objectives and audience

### 1.13 – 14 Exercise: Understanding the GBVC guidelines

 15' Divide the participants into three random groups for each group to consider one of the following issues with regard to the GBVC Guidelines.

- Group 1 - Purpose
- Group 2 - Objective
- Group 3 - Audience
- Write your response on a flip chart to be presented at plenary.

 Go through the following points with participants in a participatory manner.

### 1.15 Presentation: Understanding the GBVC guidelines

The key provisions of the Guideline are as follows:

#### **1. What is a Gender Based Violence Court (GBVC)?**

A GBVC is defined as follows: “A GBVC is simply a Circuit Court that has been designated as a GBVC by the Chief Justice. A GBVC is able to hear any case within the jurisdiction of a Circuit Court, but is expected to prioritize cases involving domestic and/or sexual violence against women, men and children and only deal with other cases when there is time to do so.”

### 1.16 Presentation: Understanding the GBVC guidelines

#### **2. What cases does a GBVC deal with? Based on jurisdictional rules in the Courts Act, 1993 (Act 459) the GBVC deal GBV cases arising from the following laws:**

- Offences in the Criminal Code (other than an offence for which the punishment is a sentence of death) [should be Criminal Offences Act, 1960 (Act 29)]
- Domestic Violence Act, 2007 (Act 732)
- Human Trafficking Act, 2005 (Act 694)
- Children’s Act, 1998 (Act 560)

a) Offences in the Criminal Code (other than an offence for which the punishment is a sentence of death). By the Criminal and Other Offences (Procedure) Act, 1960 (Act 30) section 296(2) which states that where a crime is declared by any enactment in the Criminal Code to be a misdemeanour and the punishment for the crime is not specified, a person convicted thereof shall be liable to imprisonment for a term not exceeding three years, bringing them within the minimum jurisdiction of the Circuit Court). The following cases against women, men and children are to be prioritised:

- s. 69A Female Circumcision, a second degree felony with a maximum sentence of 3 years;
- s. 89 & 90 kidnapping a second degree felony;
- s. 91 & 92 abduction of a child under 18 years which is a misdemeanour;
- s. 93, 94 & 95 Child Stealing a second degree felony;
- s. 101, Defilement of child under 16 years of age which carries a sentence of 7 – 25 years;
- s. 102 carnal knowledge of (an idiot, imbecile or mental patient without consent) for which sentencing is between 5 -25 years;
- s. 103 Indecent Assault which is a misdemeanour with minimum sentence of 6 months;
- (viii) s. 104, Unnatural carnal knowledge (sex with a person over 16 ‘in an unnatural manner’ or with an animal. Punishment varies – with consent a second degree felony with sentence of 5-25 years, with consent it’s a misdemeanour with no maximum set. If it is with an animal it is not a GBVC offence but can be handled under ordinary jurisdiction of GBVC.
- (ix) s. 105 incest, with sentence between 3-25 years;
- (x) s. 106 Householder permitting defilement of a child on his premises – sentence of 20 or 25 years.
- (xi) s. 107 procuration which is a misdemeanour;
- (xi) s. 108 Causing or encouraging the seduction of prostitution of a child under 16 is a misdemeanour;
- (xii) s. 109 Compulsion of marriage “whoever by duress cause a person to marry against his or her will, shall be guilty of a misdemeanour, by s. 296(4) of CC maximum of 3 years. Compulsion of marriage is also covered by s. 14 & 15 of the *Children’s Act* which makes the sentence of a fine or to a term of imprisonment not exceeding one year or to both;
- (xiii) s. 314A Prohibition of Customary Servitude with sentence of minimum of 3 years.

b) Domestic Violence Act, 2007 (Act 732) – It is defined to cover physical violence and abuse, sexual abuse, economic abuse, emotional, verbal or psychological abuse; harassment (including sexual harassment); and any other behaviour or conduct that in any way harms or may harm another person, endangers their safety, health or wellbeing, undermines their privacy, integrity or security or detracts or is likely to detract from their dignity and worth as human beings occurring within domestic relationship. (s. 1). It amounts to an offence and a person is liable on conviction to a fine of not more than 500 penalty units or to a term of imprisonment of not more than two years or to both – unless the crime is aggravated or is one that the Criminal and Other Offences Procedure Code prescribes a higher penalty in which case the court can impose a sentence of more than two years. (s. 53). Where GBV has been established all cases under the DVA are to be dealt with by the GBVC and not only the more serious types.

c) Human Trafficking Act, 2005 (Act 694) – It is an offence to convey, send to or to receive any person for the purposes of trafficking and includes a minimum sentence of 5 years imprisonment without the option of a fine. Other offences related include the supply and conveyance of a trafficked person and failure to provide information on trafficking to the Police. All cases of human trafficking are to be dealt with under this law.

## 1.17 Presentation: Understanding the GBVC guidelines

### 3) Minimum standards

a) Facilities – Need to ensure privacy, rights and safety of victims (and state witnesses) are protected and to facilitate actual testimony. The following minimum standards applies in this area:

(i) the Court – cases must be heard in court (with windows and doors open);

(ii) testifying room – A separate testifying room to be provided measuring 4m x 4m and must be totally private with closed doors and windows and a/c. it must be comfortably furnished. The alternative is to use the judge’s room.

(iii) Children’s waiting room measuring 6mx6m with suitable furniture.

(iv) prioritising cases involving young child victims and witnesses

b) Personnel – Key personnel includes: Judges, Persecutors, Intermediaries, (Department of Social Welfare, Interpreters and sensitized court staff (including Clerks, Orderlies and Interpreters)

c) Training – Training is to be provided by the Judicial Training Institute (JTI) save for training the Police/DoVWSU prosecutors (who should organise their own training similar to the one for the Judiciary ‘Social Context’ Module.

d) Equipment – Minimum equipment to be provided to each GBVC include: A one-way CCTV system, Anatomical Dolls.


e) Information and Awareness materials – Judicial Service’ Communication Department to provide the following: posters to raise awareness of the fact that a GBVC exists in a particular place and where to find it, booklet explaining the type of GBVC cases handled, pamphlets specifically for child victims and their families explaining the entire procedure of trial to them.

f) Trauma counselling/debriefing – This must be provided to all GBVC judges and staff. This should be provided by the Government or NGO close to where the GBVC is based.

g) Collaboration with reputable civil society organisations and others – Registers of Service providers: Judges are to keep information on other services available for survivors including – NGOs, CBOs FBOs, hospitals, and clinics and to have details at where they are located. Copies must be provided to all Court Staff to ensure they are able to refer victims and witnesses to the service provider when and as required.


h) Ancillary matters:

- (i) To ensure cases falling under the jurisdiction of a GBVC are correctly channelled to the GBVC, the Police must liaise with all Police stations falling within the court's jurisdiction to inform them about the role, functions and location of the courts, as well as which cases it deals with of the court;
- (ii) Registrars and clerks need to be made aware that all cases falling within DVA and GBVC should be referred to the GBVC. District Court Magistrates must request for the transfer of cases on DVA incorrectly referred to them to the CJ.
- (iii) Prosecutors need to meet with victims, especially child victims to prepare them for cases intermediaries should meet with child victims.
- (iv) Signage to the GBV must be provided and must be easily seen so that so that victims and witnesses (including those who cannot read) are able to find the court without having to ask any one where it is.
- (v) Since all Circuit Courts address GBV cases all Circuit Court Judges and staff need to be trained.
- (vi) Privacy – where CCTV is not available fabric cloth screens should be provided (Judicial Service is also currently negotiating with a Ghanaian company in order to purchase the equipment)
- (vi) High Court judges should also be trained on GBV.
- (vii) Need to formalise legal framework on GBV in the form of specific legislation, regulations under the Criminal and Other Offences Procedure Act or Rules of Court
  - Anatomical Dolls (Specifications) – At least set of four anatomical dolls (an adult male, an adult female, a female child and a male child) which should comply with basic specifications. Judicial Service are currently purchasing these.

 Remember! You need to know as much as possible about the GBVC Guidelines, which is why we go through them in this training and also why we reflect on how the Guidelines can be strengthened.

**40' Exercise: Identify areas of the current draft of the GBVC guidelines to correct and revise to improve accuracy**

### 1.18 Exercise: Identification of areas of the current draft of the GBVC Guidelines to correct and revise to improve accuracy

 Exercise Participants will be divided into random groups of four (4) to review the GBVC Guidelines for 15 minutes to begin to identify areas to be:


- corrected,
- updated or
- revised

### 1.19 Exercise

The responses of each group should be written on flip charts. Identify a particular section that needs to be revised or corrected. Each group should present their findings at plenary and other members given the chance to ask question to the group.

### 5' Sum up

### 1.20 Sum up







 Discussion: What are the key lessons we have learnt in this session. A ball will be thrown to you to state one lesson.

# SESSION 2

Identification of challenges and gaps  
with the GBVC Guidelines

## SESSION 2

### IDENTIFICATION OF CHALLENGES AND GAPS WITH THE GBVC GUIDELINES

	<b>SESSION TRAINER</b>	ENTER NAMES OF TRAINERS
	<b>SESSION AIM</b>	By the end of this module/session, participants will be able to: Identify challenges in applying the current draft of the GBV Guidelines to the work of court staff Highlight gaps in minimum standards and recognise areas for improvement
	<b>LOCATION &amp; TIME IN PROGRAM</b>	13.00 - 14.00
	<b>DURATION</b>	1 hour
	<b>MATERIALS</b>	Materials needed
	<b>PREPARATION</b>	Preparation needed to conduct the session

WHEN		WHAT	WHO
13.00 - 13.05	5'	Introduction	ENTER NAMES OF TRAINERS
13.05 - 13.35	30'	Exercise: Identification of challenges in applying the GBVC Guidelines to the work of court staff	
13.35 - 14.00	25'	Exercise: Highlight gaps in minimum standards and recognise areas for improvement	

## 5' Introduction


### 2.1 Introduction

 In this session we will:

- Identify challenges in the GBVC Guidelines
- Highlight gaps in minimum standards and begin to slowly recognise areas for improvement
- Provide recommendations to improving the guidelines

### 30' Exercise: Identification of challenges in applying the current draft of the GBVC guidelines to the work of court staff

#### 2.2 Exercise: Challenges in applying the GBVC guidelines to the work of court staff

 Exercise Divide participants into three groups based on the roles they play within the court system (Judges, Registrars and Court Administrators) to hold discussions for 15 minutes on the likely challenges in applying the current draft of the GBVC Guidelines to their work (if they have not yet applied them) and actual challenges (if they have already attempted applying them). The responses of each group should be written out in the format of the table below. Since the experiences of each region differs you should identify courts in specific regions and refer to their respective experiences.

#### 2.3 Exercise: Challenges in applying the GBVC guidelines

The Administrators should also identify other judicial actors who are not in the room but are critical for the functioning of the Guidelines and analyse their roles.


Each group will present their findings at plenary and other members given the chance to ask questions to the group.



## 2.4 Exercise: Challenges in applying the GBVC guidelines

AREA OF WORK/ REGION	CHALLENGES FACED / LIKELY TO BE FACED IN APPLYING THE GUIDELINES	WHAT IS REQUIRED TO ADDRESS THE CHALLENGE	ADAPTATION MADE WITH CURRENT RESOURCES

## 2.5 Challenges in applying the GBVC guidelines

 Depending on the findings from the groups consider any of the court staff below who were not identified during the group work. Go through the following points:


- Some of the key actors in the courts that should be considered in the implementation of the GBVC Guidelines include the following:
  - Judges – responsible for hearing cases and making decisions on cases. They need to know the areas of their jurisdiction
  - Registrars – responsible for the assignment of cases to courts. They have to ensure that they know which cases should be referred to the GBVC.

## 2.6 Exercise: Challenges in applying the GBVC guidelines

- Bailiffs – responsible for serving processes
- Ushers – Ushers in the judge
- Typists – type proceedings and orders
- Court administrators – ensure that the courts have the personnel, facilities and systems necessary to operate.

## 2.7 Exercise: Challenges in applying the GBVC guidelines

- Filing clerks – responsible for filing of cases and should ensure that they receive cases and process them quickly.
- Court clerks – responsible for calling cases to be heard in court and in forwarding dockets and orders of the court for processing at the registry. They should identify GBVC cases and ensure that they are dealt with expeditiously.
- Interpreters – responsible for translation from the local language into English and vice versa.

 It is important that each person with a role to play with regard to implementation of the GBVC Guidelines knows what is expected of them in its implementation. If anyone does not do what is expected to them well it will have an impact on the handling of cases.


## 25' Exercise: Highlight gaps in the minimum standards and begin to recognise areas for improvement

### 2.8 Highlight gaps in minimum standards and recognise areas for improvement

 Take participants through the following points:

- From your knowledge of the court system and what you have learnt about the needs of survivors of GBV you need to be able to identify all their needs and to see if they have been addressed in the GBVC Guidelines.
- It is also important to assess the basic facilities at the courts to see if it meets the needs of users of the courts

### 2.9 Exercise

 **Exercise** Divide participants into random groups of three (3) to review the GBVC Guidelines to identify if it meets minimum standards with regard to the needs of survivors in the use of the GBVC including the needs of female adults, male adults and that of children. Each group will address one issue.

### 2.10 Exercise

Make recommendations to better protect their interest whilst using the GBVC, which should be reflected in the GBVC Guidelines. The responses of each group should be written on flip charts and each group should present their findings at plenary and other members given the chance to interrogate the group.

### 2.11 Sum up







Discussion: What are the key lessons we have learned in this session.

# SESSION 3

Role of court staff and GBVC minimum standards

## SESSION 3

### ROLE OF COURT STAFF AND GBVC MINIMUM STANDARDS

	SESSION TRAINER	ENTER NAMES OF TRAINERS
	SESSION AIM	<p>As a result of this session, participants will be better able to:</p> <ul style="list-style-type: none"> <li>• Distinguish the role of each court staff in implementing the GBVC Guidelines to strengthen the judicial response to GBV</li> <li>• Understand the GBVC minimal or ideal standards and how they are applicable to working with survivors of GBV</li> </ul>
	LOCATION & TIME IN PROGRAM	15.00 – 16.00
	DURATION	1 hour
	MATERIALS	Materials needed
	PREPARATION	Preparation needed to conduct the session

WHEN		WHAT	WHO
15.00 - 15.05	5'	Introduction of session	ENTER NAMES OF TRAINERS
15.05 - 15.35	30'	Exercise: Court staff role in integrating the GBV Guidelines into their work	
15.35 - 15.55	20'	Presentation: Understand the GBVC minimal or ideal standards and how they are applicable to working with survivors of GBV	
15.55 - 16.00	5'	Sum up	

## 5' Introduction


### 3.1 Introduction

 In this session we will be doing the following:

- Distinguish the role of each court staff in implementing the GBVC Guidelines to strengthen the judicial response to GBV
- Understand the GBVCs minimal or ideal standards and how they are applicable to working with survivors of GBV

## 30' Exercise: Court staff role in integrating GBVC guidelines into their work

### 3.2 Court staff role in integrating GBVC guidelines into their work

 Participants will be put into three random groups to enable them to reflect on and discuss for 15 minutes on

1. What can be done practically to integrate the GBVC Guidelines into their work at each stage of the judicial process, and
2. What resources will be required for the integration.

They are to record their findings on a flip chart and to report back to the plenary.

### 3.3 Integrating GBVCG by court staff

 Go through the notes below:

- When GBV occurs the Domestic Violence Act, 2007 (Act 732) requires survivors to report to the Police to have the matter investigated and charges preferred against the perpetrator. Once that is completed the matter is filed in court and the criminal process commences.
- Another option for the survivor is to commence civil proceedings at the court.
- We will look at the processes at the Circuit Court level.

### 3.4 Integrating GBVCG by court staff

- Walk participants through the trial process in a criminal and civil suit at the Circuit Court

### 3.5 Integrating GBVCG by court staff

#### CRIMINAL PROCEEDINGS

- Criminal procedure is guided by the Criminal and Other Offences (Procedure) Act, 1960 (Act 30). We shall look at the processes that take place looking at the role of court personnel at each stage.

### 3.6 Integrating GBVCG by court staff

#### Filing of processes by the Police at the Court Registry

- At this stage the Police have their first contact with the courts through the filing clerk/court clerk who then refers the matter to the Registrar. The Registrar is responsible for assigning a court for the hearing of the matter and fixing a date for the case to be called. In court located in smaller communities the Police will take the case to a specific court.
- There is a need to ensure that early dates are fixed for the hearing by Registrars/court clerks.

### 3.7 – 3.8 Integrating GBVCG by court staff

#### Initial hearing

- When a case has been filed and a date fixed for hearing the perpetrator and victim are both expected to be in court. The case is called by the Court Clerk and the perpetrator is expected to go into the dock (box for giving evidence).
- If he/she needs an interpreter the court provides one. The Court Clerk then reads out the charge and asks the perpetrator to plead to the charge (guilty or not guilty). The facts are then read out by the Police Prosecutor. The complainant can be sentenced on his/her own plea. If the accused pleads not guilty bail can be applied for and the Judge may or may not grant it. The survivor (called the complainant) is expected to be in court to observe all that goes on.

### 3.9 – 3.10 Integrating GBVCG by court staff

- Under the Domestic Violence Act the complainant or the Police can apply for interim protection orders.
- There should be a process whereby the Police or Registrar or someone designated by them explain the court process to the complaint to calm their anxiety.
- Domestic violence cases are expected to be heard in Chambers. Judges should ensure that in GBV cases they do not adjourn cases for long periods. Also they should also endeavour to grant interim protection orders when there is the least risk of harm to the survivor/witness or a close contact.

- There is provision in the DV Act for referral for psychological treatment of survivors and perpetrators and this should be encouraged where possible. Provision can also be made for referral of cases for Alternative Dispute Resolution (ADR) under the Domestic Violence Act for certain types of cases. In such a case the Judge should give a return date so they are given information on the outcome so as to protect survivors.

### 3.11 Integrating GBVCG by court staff

#### Follow-up hearings

- At follow-up dates fixed for hearing to continue the hearing of the case may take place or the case adjourned for further periods. Sometimes there can be many adjournments and further dates for hearing fixed by the judge due to caseloads fixed by the Registry and this can be disconcerting for complaints. Delays can also be caused by Court Clerks indicating that court dockets are not available.

### 3.12 Integrating GBVCG by court staff

- When hearing starts the prosecution will be expected to open its case by calling the complainant, the investigator, medical personnel to put in the medical report if necessary and other witnesses. Exhibits may be tendered and kept by the Court Clerk. Depending on the number of witnesses to be called the prosecution can ask for further adjournments be made. Each witness goes through their evidence in chief, are subject to cross examination by the Defence and re-examination if deemed necessary.

### 3.13 Integrating GBVCG by court staff

- After the prosecution has closed its case the Defence have a right to make a submission of no case. This will require an assessment of the prosecution's case and legal submissions that the prosecution has not established the ingredients required for the crime.
- The prosecution can respond and the judge has to take a decision. If the submission is upheld the perpetrator is discharged and the case comes to an end.

### 3.14 Integrating GBVCG by court staff

- If it's rejected the defence opens its case and calls the perpetrator and other witnesses to give evidence. Afterwards the two parties give their addresses.
- Judges and Registrars should ensure that GBV cases are scheduled to be heard early and long adjournments avoided. Exhibits should be kept confidential by Court Clerks.

### 3.15 Integrating GBVCG by court staff

#### Judgement and sentencing

- After the prosecution and the defence present their addresses a date is fixed for the judgement and sentencing if the accused is found to be guilty and if not acquittal and discharge takes place. Judges pronounce the judgement and the Registrar and clerks get the final orders ready. Protection orders can be firmed up.
- It is important to ensure that survivors understand the nature of the judgement that is given and its implications for them.
- The Police and Bailiffs may be involved in enforcing judgements.

### 3.16 Integrating GBVCG by court staff

#### Others

- Both Judges and other court officials should familiarize themselves with the Domestic violence Regulations, 2016 (L.I. 227) that have a lot of forms to be used by the courts.
- Judges should ensure that reliefs available in the Domestic Violence Act are enjoyed by the survivor at any point of the trial.
- Judges should ensure that survivors and witnesses are not intimidated by the Police, court officials and defence lawyers at any point in the course of the trial.

### 3.17 Integrating GBVCG by court staff

#### CIVIL PROCEEDINGS

#### Commencing the suit

- In civil proceedings arising from GBV cases the survivor would usually get a lawyer to file a civil suit (for example divorce or an action in tort for injuries suffered). Once suits are filed the respondent or defence have to file their processes as well. After pleadings have been completed Registrars fix dates for hearing.
- As much as possible if the case involves GBV early dates should be fixed for hearing

### 3.18 Integrating GBVCG by court staff

#### Pre-trial processes

- Pretrial processes have to be followed and this will require the judge to give directions including agreeing on issues for trial, witness statements, case management meetings before the trial starts. The judge has the opportunity to give directions on how the case progresses. Interim orders, including protection orders or restraint orders can be given when necessary and requested by a party.



- In cases relating to GBV Judges should avoid long adjournments. Judges should refer survivors for support services if required. Court clerks should keep exhibits well.

### 3.19 Integrating GBVCG by court staff

#### Hearing of suit

- The parties and their witnesses will be expected to be examined in chief and cross examined by the other side with re-exam if possible. Cases can be adjourned for long periods. After evidence is presented the parties file their addresses
- Many staff of the court including Registrar, Court Bailiffs who service processes, Judges who manage and hear cases, recorders in court rooms who record proceedings, interpreters if required.

### 3.20 Integrating GBVCG by court staff

#### Judgement and execution

- After the close of evidence and submission of addresses by both parties judgment is given by the judge.
- The execution process is followed after the judgement has been rendered.

## 20' Presentation: Minimal or ideal standards for survivors, witnesses and perpetrators in the courtroom

### 3.21 Understand the GBVC minimal or ideal standards and how they are applicable to working with survivors of GBV

 Go through the notes below:

There are ideal minimum standards for survivors, witnesses and perpetrators in the court room. For all a speedy trial is required. Some of the minimal standards required are as follows:

- **Survivors** – Support services required, witness protection, protective orders, may require medical support, counselling services
- **Witnesses** – Witness support services required, witness protection services

### 3.22 Minimal/ ideal standards for survivors of GBV

**Child survivor/witness:** Additional measures needed for them are as follows as set out in the Justice for Children Policy:

- Using alternatives to viva voce testimony, such as video testimony, so that the child does not need to attend the trial in person;

- The alternative is to allow children to testify from behind a screen or through close circuit television;
- Appropriate notification system so children only attend court when necessary;

### 3.23 Minimal/ ideal standards for survivors of GBV


- Ensuring that the child is accompanied by a victims/witness supporter;
- Re-arranging the physical layout of the courtroom;
- Special dolls to be provided for the child in case of sexual abuse to point out places touched;
- Closing the courtroom to the public when the child is testifying;
- Arranging separate waiting area for children and their parents;
- Allowing for frequent recesses, taking into account the child's age and attention span;

### 3.24 Minimal/ ideal standards for survivors of GBV

- Requiring that children be questioned in language appropriate to their age and level of understanding. Aggressive questioning or techniques designed to confuse witnesses should be prohibited, and the nature of questioning strictly controlled by the judge;
- Perpetrators should not be permitted to cross-examine a child directly. All questions must be asked by defence counsel or directed through the judge;
- They need protection from stigma and retaliation;
- Alternative care to be provided for the child if needed.

### 3.25 Minimal/ ideal standards for survivors of GBV

- Perpetrators – To be presumed innocent until proven guilty; lawyers to defend them; counselling services; right to bail depending on the nature of the offence.

 Open discussion: How do we measure these standards against Ghana's justice system? What can be done to improve the system for survivors/witnesses and perpetrators. One of the participants should take notes on a flip chart and sum up.


### 5' Sum up

### 3.26 Sum up

 What have we gone through / learnt this session?' Can someone help me summarize?

# SESSION 4

Integrating GBVC Guidelines

SESSION 4		
INTEGRATING GBVC GUIDELINES		
	SESSION TRAINER	ENTER NAMES OF TRAINERS
	SESSION AIM	<p>As a result of this session, participants will be better able to:</p> <ul style="list-style-type: none"> <li>Identify key recommendations to improve the GBVC Guidelines</li> <li>Identify concrete opportunities to apply the GBVC Guidelines into GBVC cases in working with survivors</li> <li>Deepen understanding of best practices in addressing GBV with regard to the rule of law</li> </ul>
	LOCATION & TIME IN PROGRAM	09.00 – 10.45
	DURATION	1 hour 45 minutes
	MATERIALS	Materials needed
	PREPARATION	Preparation needed to conduct the session

WHEN		WHAT	WHO
09.00 - 09.05	5'	Recap of Day 1	NAMES OF TRAINERS
09.05 - 09.10	5'	Introduction of session	
09.10 - 09.40	30'	Exercise: Identify key recommendations to improve the GBVC Guidelines	
09.40 - 10.10	30'	Exercise: Identify concrete opportunities in applying the GBVC Guidelines into GBVC cases in working with survivors	
10.00 - 10.40	30'	Deepen understanding of best practices in addressing GBV with regard to the rule of law	
10.40 - 10.45	5'	Sum up	

## 5' Recap of day 1

 Help participants recap the previous day.

## 5' Introduction of session 4



### 4.1 Introduction


 In this session we will be doing the following:

- Identifying key recommendations to improve the GBVC Guidelines and how they can be achieved
- Identify concrete opportunities to apply the GBVC Guidelines into GBVC cases in working with survivors
- Deepen understanding of best practices with regard to rule of law

## 30' Exercise: Identify areas of the GBVC guidelines to improve with key recommendations



### 4.2 Identify key recommendation to improve the GBVC guidelines

 Participants will be divided into three groups based on the role they play within the court system (Judges, Registrars, and Court Administrators). Discussions will be held by each group to identify:

1. Key recommendations on how to improve the areas identified.
2. How each recommendation can be achieved

The responses of each group should be written on flip charts and each group will present their findings at plenary and other members given the chance to interrogate the issues raised

## 30' Exercise: Identify concrete opportunities in applying the GBVC guidelines into GBV cases in working with survivors



### 4.3 – 4.5 Identify concrete opportunities to apply the GBVC guidelines into GBVC cases in working with survivors

 Exercise – Case study

15' Participants will be divided into three random groups to discuss the case study below:

- A woman and her 8 year old son have been beaten by the father of the child and been injured. She had gone to see the man to ask for money to pay the school fees of the child. The child tried to protect the mother and was hit with a metal bar and also sustained a serious injury.



Slide |  Instructions |  Remember |  Framing |  Discussion |  Individual Reflection |  Helpful comments

They live at Sewhi Chirano in the Western Region. The man further threatened the woman with harm if she dares to come to see him with such a demand again.

- She reported the matter to the Police who gave her a medical form to go to the hospital. They arrested the man and undertook investigations. They have decided to prosecute the man under the Domestic Violence Act. They charged the man and took the case to the nearest court, which was a Magistrate Court.
  - What should the woman and her son expect from the court from the time of initial contact with the court using the GBVC Guidelines as a guide?
  - Participants should discuss the case from a survivor-centered approach

### 30' Presentation: Deepen understanding of best practices in addressing GBV with regard to the rule of law

#### 4.6 Deepen understanding of best practices in addressing GBV with regard to the rule of law

 Presentation:

- Rule of law refers to ensuring that laws in place are applied in a given situation. The term means rule according to law.

This aspect of the rule of law requires the government to exercise its power in accordance with well established and clearly written rules, regulations and legal principles. Under this context no person may be prosecuted for an act that is not punishable by law.

#### 4.7 GBV and Rule of Law

- When the government seeks to punish someone for an offence that was not deemed criminal at the time it was committed, the rule of law is violated because the government exceeds its legal authority to punish.
- The rule of law requires that the government impose liability only in so far as the law will allow. This principle is reflected by the rules of fair trial which is recognised under Article 19 of the 1992 Fourth Republican Constitution of Ghana.

#### 4.8 GBV and rule of law

- As a signatory to a number of international human rights instruments calling for Ghana to address violence against women, Ghana is required to ensure that its laws adequately address GBV.
- This include in particular the UN Declaration on the Elimination of Violence against Women that calls for specific action to address GBV and for appropriate remedies to be available to survivors.

 Slide |  Instructions |  Remember |  Framing |  Discussion |  Individual Reflection |  Helpful comments

- As a dualist state most of the provisions of these international laws are reflected in a number of national laws enacted by the Government of Ghana.

#### 4.9 GBV and Rule of Law

- In addressing GBV within the GBVC using the Guidelines, it is important to bear in mind the applicable national laws so as to know which rules to apply in dealing with GBV.
- The GBVC Guidelines has identified a number of laws that can be used to address the criminal aspect of GBV. Most of these were discussed in Modules 1 & 2.
- It is important to know that there are other civil laws that can also be relied upon when GBV occurs which are not set out in the GBVC Guidelines but which you have to know:

#### 4.10 GBV and rule of law

- Matrimonial Causes Act of 1971 (NRCD 367) – This is the law used to regulate the grant of divorce. The sole ground for granting divorce is if the marriage has broken down beyond reconciliation. One of the grounds that can be relied upon is unreasonable behaviour which has been interpreted to include cruelty as a ground for divorce.

#### 4.11 GBV and rule of law

- Intestate Succession Act, 1985 (PNDCL 111) – This law can be relied upon to address some aspect of economic violence. It ensures that when a spouse or parent dies intestate a reasonable portion of the estate goes to the surviving spouse and children.

#### 4.12 GBV and rule of law

- The English Common law principles on tort could also be used when there was trespass to the person resulting in harm.

 Quiz – Should the GBVC Guidelines have a section dealing with civil cases?

### 5' Sum up

#### 4.13 Sum up

 Discussion: Have we met the objectives for this session?







# SESSION 5

Map institutional structures +  
monitoring and evaluation tools



## SESSION 5

### MAP INSTITUTIONAL STRUCTURES + MONITORING AND EVALUATION TOOLS

	<b>SESSION TRAINER</b>	<b>ENTER NAMES OF TRAINERS</b>
	<b>SESSION AIM</b>	<p>As a result of this session, participants will be better able to:</p> <ul style="list-style-type: none"> <li>• Identify institutional and non-institutional structures that can support GBVC guidelines within the courts</li> <li>• Design and identify monitoring and evaluation tools for implementation and accountability</li> <li>• Additional resources needed to implement the GBVC guidelines</li> <li>• Map relevant stakeholders and their relationship to the courts to better support and serve GBV survivors through the GBVC Guidelines</li> </ul>
	<b>LOCATION &amp; TIME IN PROGRAM</b>	11.00 – 13.00
	<b>DURATION</b>	2 hours
	<b>MATERIALS</b>	Materials needed
	<b>PREPARATION</b>	Flip chart paper, markers, write question on 3 flip charts

WHEN		WHAT	WHO
11.00 - 11.05	5'	Introduction	NAMES OF TRAINERS
11.05 - 12.05	60'	Activity: Around the World Cafe	
12.05 - 12.50	45'	Map Relevant Stakeholders	
12.50 - 13.00	10'	Questions & Comments	

## 5' Introduction



### 5.1 Review Objectives

Welcome participants back from the break. Let them know that even though it is important to update the GBVC Guidelines and recognize areas of improvement that we also need to think about how you can hold yourselves accountable and have a support system in doing on. I understand that you all discussed the referral system in module 2; however, we will be conducting a mapping exercise that will take it a step further. The next activity is called Around the World Café.

## 60' Activity: Around the World Cafe



### 5.2 Around the World Cafe

Ask everyone to stand up and take a marker and split them into 3 groups.

10' Explain that each table has a different question, and in groups they will read the question, and answer it. They can discuss amongst themselves or write individually. They do not need to reach consensus. You can write words, draw pictures, whatever you would like.

A reminder for yourself – the 3 questions are:

- What M&E tools are available or need to be designed to track progress in maintaining the GBVC guidelines?
- What additional resources or support is needed to implement the GBVC guidelines?
- What institutional and non-institutional structures exist in Ghana to support the GBVC guidelines?

After 10 minutes, I will ask you to move with your group to the next table, going clockwise around the room.

When you reach a new table, read the responses from the previous group(s). You may respond to what is written, add to what is or add something new.

Ask for questions.

Split them up into 3 groups

Go from table to table, and state that some of you saw the response to this question, others saw it midway and some of you saw it at the end. Looking at the responses now,

- What do you see?
- What stands out for you?
- What surprises you?
- What concerns you?
- What implications does this have in our work together?




Slide | Instructions | Remember | Framing | Discussion | Individual Reflection | Helpful comments

 After all the tables have been discussed, ask what remaining questions there are.

## 45' Map relevant stakeholders



### 5.3 Mapping Relevant Stakeholders

 We are going to map relevant stakeholders that work in GBV prevention and response, whose services overlap or align with the court and identify areas where linkages can be developed or where partnerships could be strengthened.

- Tape 5 index cards to the room that read: Psycho-social services; Health service; Legal services; Law enforcement and; Shelter/Housing.
- Have participants write on index cards and put it under each heading, if they already see one there that they wanted to write then put a check mark on it
- Mark in the corner if the stakeholder is at the national, regional, or district level
- Do this for 15 minutes, so that the wall is pretty covered with organizations or institutions under each heading
- Then bring the group together and go through each one.


 Ask participants:

- Which organisations already have strong ties with the courts?
- Which links could be strengthened?
- Which are missing from this list?

## 10' Questions & Comments



### 5.4 Questions + Comments







 Thank participants for a fruitful discussion and recognize that a lot was discussed in a short amount of time, so this is a good time for any last questions or comments.

# SESSION 6

Aligning GBVC Guidelines with  
international best practices & way  
forward

# SESSION 6

## ALIGNING GBVC GUIDELINES WITH INTERNATIONAL BEST PRACTICES & WAY FORWARD

	<b>SESSION TRAINER</b>	<b>ENTER NAMES OF TRAINERS</b>
	<b>SESSION AIM</b>	<p>As a result of this session, participants will be better able to:</p> <ul style="list-style-type: none"> <li>Align the GBVC Guidelines with international best practices to meet the needs of survivors</li> <li>Identify the way forward to continue revision of the GBVC Guidelines in order to finalise the GBVC Guidelines and integrate into the approach</li> </ul>
	<b>LOCATION &amp; TIME IN PROGRAM</b>	14.00 – 16.00
	<b>DURATION</b>	2 hours
	<b>MATERIALS</b>	Materials needed
	<b>PREPARATION</b>	Preparation needed to conduct the session

WHEN?		WHAT?	WHO?
14.00 - 14.05	5'	Introduction of session	ENTER NAMES OF TRAINERS
14.05 - 14.35	30'	Presentation: The GBVC Guidelines and international best practices to meet the needs of survivors	
14.35 - 15.15	40'	Exercise: Align the GBVC Guidelines with international best practices to meet the needs of survivors	
15.15 - 15.55	40'	Exercise: Identify the way forward to continue revision of the GBVC Guidelines in order to finalise the GBVC Guidelines and integrate into the approach	
15.55 - 16.00	5'	Sum up	

## 5' Introduction

### 6.1 Introduction

 Introduce the session – in this session we will be doing the following:

- Aligning the GBVC Guidelines with international best practices to meet the needs of survivors
- Identifying the way forward to continue revision of the GBVC Guidelines in order to finalise the GBVC Guidelines and integrate into the approach

## 30' Presentation: The GBVC guidelines and international best practices to meet the needs of survivors

### 6.2 Aligning the GBVC Guidelines with international best practices to meet the needs of survivors

 Go through the notes below:

- There are a number of international human rights instruments dealing with GBV that calls for effective measures to ensure that there is an effective response to GBV. Some of them are listed below and some of what is required of state parties to do are set reflected in the GBV Guidelines:

### 6.3 – 6.5 Aligning GBVCG with international best practices

- United Nations Declaration on the Elimination of Violence Against Women (1993) A/RES/48/104 – Passed by the UN General Assembly passed by the UN on 20<sup>th</sup> December 1993 to call on member States to address violence against women effectively. Article 4 calls for states to condemn violence against women and among others
- (f) Develop, in a comprehensive way, preventive approaches and all those measures of legal, political, administrative and cultural nature that promotes the protection of women against all forms of violence, and ensure that the re-victimisation of women does not occur because of laws insensitive to gender considerations, enforcement practices or other interventions; ...
- (g) work to ensure, to the maximum extent feasible in the light of international cooperation, that women subjected to violence and, where appropriate, their children have specialised assistance, such as rehabilitation, assistance in childcare and maintenance, treatment, counselling and health and social services, facilities and programmes as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation. (Some of the measures in the Guidelines are aimed at achieving

## 6.6 – 6.7 Aligning GBVCG with international best practices

- Beijing Declaration and Planform for Action (1995) - This was the document that came out of the Fourth World Conference on Women held in Beijing. A number of Strategic Objectives were set out in the document for Government and other actors to follow-to address Violence Against Women. Among the actions to be taken by Government is to:
- “Provide women who are subjected to violence against women access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm they have suffered and inform women of their rights in seeking redress through such mechanisms.

## 6.8 – 6.9 Aligning GBVCG with international best practices

- Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa of 2003 (Maputo Protocol) – This calls on state parties to ensure that they effectively address violence against women. In Article 4 it is indicates that state parties should “adopt such other legislative, administrative, social and economic measures as may be necessary to ensure the prevention, punishment and eradication of all forms of violence against women.
- It is important to be aware of these so as to realise that the initiative for setting up the GBVC and development of the Guidelines are all in accordance with international human rights norms.

## 40’ Exercise: Aligning the GBVC guidelines with international best practices to meet the needs of survivors

### Exercise

- Participants will be divided into four random groups.
- 20’ Discussions will be held by each group to identify international best practices to align the GBVC Guidelines to meet the needs of victims.
- 20’ Write down the responses of each group on flip charts and each group will present their findings at plenary and other members given the chance to interrogate the group.


## 40’ exercise: Identify a way forward

## 6.10 Identifying the way forward to continue revision of the GBVC Guidelines in order to finalise and integrate it

### Exercise

- Divide participants into three random groups.
- Discussions will be held by each group based to identify concrete ways forward to continue revision of the GBVC Guidelines in order to finalise the Guidelines and integrate it into the court's work.
- Indicate who will be responsible for each concrete way identified.
- The responses of each group will be written on flip charts and each group will present their findings at plenary and other members given the chance to interrogate the group.

## 6.11 Revision of GBVC Guidelines

 The responses will be used to prepare an action plan to ensure that the GBVC Guidelines are revised and finalised by the Judicial Service. This will be handed over to the Judicial Reform Directorate/Judicial Training Institute of the Judicial Service to facilitate improving facilities in accordance with the GBVC Guideline.

 All have a role to play in ensuring that the GBVC Guidelines are reviewed to enable the work of the court to be well structured.

### 5' Sum up

## 6.12 Sum up

 Sum up with participants through a brainstorm session.









# SESSION 7

Best Practices working with child GBV survivor


# SESSION 7

## BEST PRACTICES WORKING WITH CHILD GBV SURVIVOR

	<b>SESSION TRAINER</b>	<b>ENTER NAMES OF TRAINERS</b>
	<b>SESSION AIM</b>	<p>As a result of this session, participants will be better able to:</p> <ul style="list-style-type: none"> <li>• Adapting verbal and body language that is child-friendly</li> <li>• Understand how to align best practices when working with children and adolescents and their specific needs as GBV survivors</li> <li>• Identify and implement child friendly methods</li> <li>• Demonstrate understanding of barriers to children’s access to reporting GBV and how it differs between boys and girl</li> </ul>
	<b>LOCATION &amp; TIME IN PROGRAM</b>	09.00 – 10.45
	<b>DURATION</b>	1 hour 45 minutes
	<b>MATERIALS</b>	Materials needed
	<b>PREPARATION</b>	Print verbal and non-verbal communication and case studies (Annex C)

WHEN		WHAT	WHO
09.00 - 09.10	10'	Recap of Day 2	ENTER NAMES OF TRAINERS
09.10 - 09.15	5'	Introduce Session	
09.15 - 09.30	15'	Activity: Kahoot quiz	
09.30 - 10.15	45'	Presentation: Best Practices for working with children	
10.15 - 10.40	25'	Exercise: Case study	
10.40 - 10.45	15	Sum up	

## 10' Recap of day 2

 Remind participants what was covered the day before.


## 5' Introduction




### 7.1 Objectives

 In this session we will be covering:

- Adapting verbal and body language that is child-friendly Understand how to align best practices when working with children and adolescents and their specific needs as GBV survivors
- Identify and implement child friendly methods
- Demonstrate understanding of barriers to children's access to reporting GBV and how it differs between boys and girl

 Remind participants that it is a difficult topic, so if they need a moment or need to talk to one of the trainers then it is completely safe and normal to do so.

 Tell participants that effective communication skills are fundamental to delivering helpful services to children. It is through the dynamic process of communication (verbal and non-verbal) that positive, helpful relationships are developed, and healing starts to occur. Evidence shows that health and psychosocial service providers can impact a child's healing based on their responses to a child's disclosure of abuse—in other words, what service providers say and how they say it.


It is a common mistake to assume that children (from the age of six or so) are too young to be aware of what is going on around them or too young to be adversely affected by dangerous or distressing experiences such as sexual abuse. Children who have experienced abuse may find it extremely difficult to talk to others about what they have experienced. Some will find it difficult to trust adults, especially those they do not know well.

The ability to communicate effectively with children is crucial to sharing information, as well as for encouraging further communication and protecting and assisting these children. Accurate and truthful information can be empowering to children and facilitates their involvement in subsequent decision-making.

## 15' Activity: Kahoot Quiz



### 7.2 Kahoot: Quiz

 Ask participants to pull out their phone or laptop and go to Kahoot.it and give them the game pin. Once they are in they can make a nickname and you can play the quiz. This should be fun and easy going to get people involved.

If technology is not working then read the questions out loud and have participants slap the table or raise their hand to answer.

Activity: Kahoot quiz

A. Which one of these are healing statements to use with children who have suffered from violence:

1. You are very brave for telling me
2. This is not your fault
3. I am sorry this happened to you
4. All of the above

B. It is okay to make promises to children even if you can't keep them"

- True or false

C. With children, you should

1. Sit on the floor when talking to them
2. Use a soft, gentle voice
3. Conduct the interview in a safe place
4. All of the above

D. What is the maximum amount of time you should interview a child about his/her sexual abuse?

1. Depends upon the age of the child
2. The age does not matter
3. 2 hours
4. 45 minutes

E. You should be skeptical of a child, because they sometimes lie.

- True or false




Slide |  Instructions |  Remember |  Framing |  Discussion |  Individual Reflection |  Helpful comments

F. Very young children won't be affected later in their life, because they don't understand or won't remember the violence


- True or false


G. Children do not have a right to confidentiality

- True or false

 We will be going over all of these pieces on how to communicate with children and some best practices to better understand the rights children have.

### 45' Best Practices on interacting with children

 Do not read everything, touch on important points and summarize, especially verbal and non-verbal. Verbal and non-verbal communication handout should be printed and handed to participants.

 Research shows that children can be positively or negatively affected based on the response of the person helping them. Because service providers play such a key role in promoting (or not promoting) a child's healing and recovery, they must have a solid foundation of positive attitudes about children and child sexual abuse survivors. Service providers are in the position to educate important and influential adults in a child's life. Adults, especially family members, need to understand that dismissing a child's revelation of sexual abuse or blaming a child for such abuse, is harmful. Service providers must challenge such attitudes and practices among adults if they are to facilitate understanding and empathy for the affected child.

### 7.3 Child-friendly values

Court staff must have the ability and commitment to put the following child-friendly values and beliefs into practice, and to ensure child-friendly attitudes are communicated during the provision of care:

- Children are resilient individuals.
- Children have rights, including the right to healthy development.
- Children have the right to care, love and support.
- Children have the right to be heard and be involved in decisions that affect them.
- Children have the right to live a life free from violence.
- Information should be shared with children in a way they understand.

## 7.4 Child-friendly methods: Sexual abuse

In addition, there are specific beliefs that are absolutely vital for providers to have when working with child sexual abuse survivors. They include the belief that:

- Children tell the truth about sexual abuse.
- Children are not at fault for being sexually abused.
- Children can recover and heal from sexual abuse.
- Children should not be stigmatized, shamed, or ridiculed for being sexually abused.

Adults, including caregivers and service providers, have the responsibility for helping a child heal by believing them and not blaming them for sexual abuse.

## 7.5 Verbal and Non-Verbal Communication

### VERBAL

#### Child-Friendly Communication Techniques

Children, ages six years and older, who are able to communicate verbally can benefit from service providers who implement the following strategies:

- Talk with children about their life, school, family and other general topics before asking direct questions about their experience(s) of abuse. This helps the service provider to gauge the child's capacity to be verbal and helps a child feel at ease with the service provider.
- Use as many open-ended questions as possible. Avoid multiple-choice or yes/no questions, which can be confusing and lead the child to give inaccurate responses.
- Avoid using the words "why" or "how come." This will result in answers frustrating for you and the child: "I don't know," for example, or a shrug of the shoulders, or silence. Instead, ask for the child's opinion as to why something is so: "What do you think the reason is...?" In addition, "why" questions can come across as blaming, such as "Why didn't you..." for example.
- Use words that encourage the child to continue talking:
  - "Tell me more about that..."
  - "What do you mean by..."
  - "Give me an example of..." or "Describe for me..."
  - "Go on..."
  - "And then what happened...?"
- Don't put words in the child's mouth. Whether using verbal or non-verbal techniques. For example, do not say, "Did he put his hands on your breasts?" Or if using a doll to help a child communicate what happened, do not point to the breasts on the doll and ask, "Did he touch you here?" Instead, ask the child to show you where he/she was touched. Other examples of useful questions or statements:

- Has anyone ever touched you in a way that makes you confused or frightened?
  - Share with me how you were touched.
  - Tell me what happened next.
  - Use your own words. It is okay to go slowly.
- Choose the right words. Children, especially those under the age of six, take words literally, so the service provider must be sure to use concrete language. For example, if you ask a young child, “Did he drive you away in his car?” the child may answer negatively—if the actual vehicle was a truck.
  - Empower children: After children describe events or occurrences in their lives and talk about their reactions, they must be reassured that they “did the right thing” by telling another person about these events. It may be helpful to allow them the opportunity to explore their ideas and solutions: “What would you tell other kids to do if they were in the same situation?” If they are unable to reply, you can offer them paper and crayons and see if they want to draw their ideas.

## NON-VERBAL

1. Nondirective techniques apply when a service provider invites children to draw a picture or tell a story but does not give specific directions about what they might draw or say. The person working with the child can then see what the child may be thinking or feeling, based on what the child chooses to draw, and so on. This is a good way to engage children at the beginning of an interview or meeting, allowing the child to relax and engage in a fun and creative activity without being told what to do.

2. Directive techniques apply when a service provider asks a child to participate in an art or other creative activity. These techniques can be very useful during interviews with children to gather information about specific areas of a child’s life. Examples of directive art and play techniques that can be used to better understand a child include:

- Having a child draw his or her family (anyone living in their house). This can be a very effective way to find out who lives with the child. Once the child draws the picture, service providers can ask additional questions about the family: to whom is the child closest? Who is he or she scared of? With whom does he or she get along? What do family members do during the day? ...and so on.
- Having a child draw his or her daily activities. This can be an effective way to find out what the child’s day is like. Is he or she in school, out of school? Who does he or she spend time with? Does he or she describe certain friends or activities? ...and so on.
- Having a child draw their safety circle. The child draws a circle and puts inside the circle what and who makes him or her feel safe. This can be an excellent way to identify

safety concerns the child may have. The service provider can take this activity a step further and have the child draw the things outside of the circle that scare them (the circle being the symbolic boundary of safety). This can provide additional information about the child's perception of risk (what and whom) and safety (what and whom).

- Having a child use dolls. Using dolls, a child shows where or how he or she was touched. For example, asking a child to show you where on the doll he or she was touched or hurt. The service provider should not lead the child, for example, pointing to a child's breast, vagina, penis or other body part and asking, "Did he/she touch you here?" This is a leading question and children may want to please the person asking and could answer "yes" when, in fact, the answer is "no." The use of dolls in interviews with children require specific
- Having a child use dolls to find common language. It can be very useful to have dolls and drawings to define common terminology for body parts. Studies have shown that children use many different names for private parts, and many young children do not know which parts of the body are considered private. Young children tend to use a wider range of words to refer to body parts and sexual acts than do older children. Younger children also use the same word or phrases to refer to more than one body part or sexual act. Thus, the service provider must take the time to clarify the words and phrases used by children to ensure an accurate understanding of children's statements.

## 25' Exercise: Case study

### 7.6 Case study

- Exercise: Split participants into groups of four and give each group a case study. Ask participants to utilize the handout on best practices. Ask them to write: What did the provider do that was helpful?
- What did the provider do that could be improved or what should the provider do to improve the situation?
- What are common challenges to communicating with children or young people?
- What are barrier that child may face as a girl or as a boy in reporting their case?

Have participants share with the group.

## 5' Sum up

 As participants if they have any questions or comments to the session.









# SESSION 8

Child-friendly methods

## SESSION 8


### CHILD-FRIENDLY METHODS

	<b>SESSION TRAINER</b>	<b>ENTER NAMES OF TRAINERS</b>
	<b>SESSION AIM</b>	<p>As a result of this session, participants will be better able to:</p> <ul style="list-style-type: none"> <li>• Demonstrate understanding of child-friendly methods and will be able to distinguish various techniques to work with children within the judicial system</li> <li>• Identify role of each court staff member in working with children</li> <li>• Understand barriers to children’s access to reporting and justice, and how it differs between boys and girls</li> </ul>
	<b>LOCATION &amp; TIME IN PROGRAM</b>	11.00 – 13.00
	<b>DURATION</b>	2 hours
	<b>MATERIALS</b>	Flip chart, markers, index cards
	<b>PREPARATION</b>	Write key points on child friendly methods on flipchart paper, cut up for child-friendly scenarios, print 3 handouts (Annex D)

WHEN		WHAT	WHO
11.00 - 11.10	10'	Introduce Session	ENTER NAMES OF TRAINERS
11.10 - 11.20	10'	Introduce Key Child-Friendly Justice Points	
11.20 - 11.40	20'	Activity: Child-Friendly Guidelines	
11.40 - 12.40	60'	Activity: Role Play with discussion	
12.40 - 13.00	20'	Questions & Comments: Debrief participants	
13.00 - 14.00	60'	Lunch	

## 10' Introduction


### 8.1 Objectives

 In this session we are going to look into child-friendly methods. Children participate in judicial proceedings across Ghana every year, affected by parental divorce, defilement, or as victims or witnesses to a crime or violence. Although their effective participation in such proceedings is vital for improving the operation of justice, the treatment of children in justice systems remains a concern.


In this session, I would like for you to consider to what extent children's rights to be heard, to be informed, to be protected, and to non-discrimination are being fulfilled in practice within the courts, and how can we do better to protect them.

## 10' Introduce key child-friendly justice points

### 8.2 Child-Friendly Justice Points

 The term “child-friendly legal aid” refers to the right of a child under the age of 18 to receive competent, timely, and developmentally appropriate legal assistance in connection with a civil, criminal, or administrative proceeding in which the child's rights or interests are at stake.

A more comprehensive and functional definition is: the provision of legal assistance to children that is accessible, age- appropriate, multidisciplinary, effective, and that is responsive to the range of legal and social needs faced by children and youth.

 Child- friendly legal aid is delivered by lawyers and non-lawyers who are trained in children's law and child and adolescent development, and who are able to communicate effectively with children and their caretakers

 Key points in child-friendly justice. Services should be:

- Accessible
- Age appropriate
- Speedy
- Diligent
- Adapted to and focused on the needs of the child
- Respecting the right to due process
- Respecting the right to participate in and to understand the proceedings
- Respecting the right to private and family life
- Respecting the right to integrity and dignity

☀️ Ask participants to define each one to ensure there is a common understanding among the group. Ask “What do you think it means to be accessible?” “What do you think it means to be age appropriate” etc. until you go all the way through the list.

## 20' Activity: child-friendly guidelines

### 🗨️ 8.3 Guiding Principles

🗨️ So then how do we work with children?

☀️ Draw this cycle on the board/flip chart:



☀️ Explain that working with child survivors means you should adhere to a common set of principles to guide decision-making and overall quality of care. Guiding principles set out the ethical responsibilities and behaviours of service providers delivering direct services to children and families seeking assistance. They assure service providers that actions taken on behalf of child clients are supported by standards of care that aim to benefit the health and well-being of the child client(s).

Also, point out that guiding principles ensure that all actors are accountable to minimum standards for behaviour and action, and because of that, children and families receive the best care possible. These guiding principles draw upon best practice principles outlined in the UNHCR Guidelines on Sexual Violence Response and Prevention and the United Nations Convention for the Rights of the Child.

☀️ **ACTIVITY** Put a printed copy of these principles on each table.

5' Split participants into 7 groups and then assign each group a principle and ask them to come up with an example of how to implement that guiding principle, then share with the larger group.

🗨️ Slide | ☀️ Instructions | 🌟 Remember | 🗨️ Framing | 🗨️ Discussion | 🗨️ Individual Reflection | ❤️ Helpful comments

## Guiding Principles for Working with Child Survivors

1. Promote the Child's Best Interest
2. Ensure the Safety of the Child
3. Comfort the Child
4. Ensure Appropriate Confidentiality
5. Involve the Child in Decision-Making
6. Treat Every Child Fairly and Equally
7. Strengthen Children's Resiliencies

1. Promote the Child's Best Interest: A child's best interest is central to good care. A primary best interest consideration for children is securing their physical and emotional safety—in other words, the child's wellbeing—throughout their care and treatment. Service providers must evaluate the positive and negative consequences of actions with participation from the child and his/her caregivers (as appropriate). The least harmful course of action is always preferred. All actions should ensure that the children's rights to safety and ongoing development are never compromised.

2. Ensure the Safety of the Child: Ensuring the physical and emotional safety of children is critical during care and treatment. All case actions taken on behalf of a child must safeguard a child's physical and emotional well-being in the short and long terms.

3. Comfort the Child: Children who disclose sexual abuse require comfort, encouragement and support from service providers. This means that service providers are trained in how to handle the disclosure of sexual abuse appropriately. Service providers should believe children who disclose sexual abuse and never blame them in any way for the sexual abuse they have experienced. A fundamental responsibility of service providers is to make children feel safe and cared for as they receive services.

4. Ensure Appropriate Confidentiality: Information about a child's experience of abuse should be collected, used, shared and stored in a confidential manner. This means ensuring 1) the confidential collection of information during interviews; 2) that sharing information happens in line with local laws and policies and on a need-to-know basis, and only after obtaining permission from the child and/or caregiver; 3) and that case information is stored securely. In some places where service providers are required under local law to report child abuse to the local authorities, mandatory reporting procedures should be communicated to the children and their caregivers at the beginning of service delivery. In situations where a child's health or safety is at risk, limits to confidentiality exist in order to protect the child.

5. **Involve the Child in Decision-Making:** Children have the right to participate in decisions that have implications in their lives. The level of a child's participation in decision-making should be appropriate to the child's level of maturity and age. Listening to children's ideas and opinions should not interfere with caregivers' rights and responsibilities to express their views on matters affecting their children. While service providers may not always be able to follow the child's wishes (based on best interest considerations), they should always empower and support children and deal with them in a transparent manner with maximum respect. In cases where a child's wishes cannot be prioritized, the reasons should be explained to the child.

6. **Treat Every Child Fairly and Equally (Principle of Non-Discrimination and Inclusiveness):** All children should be offered the same high-quality care and treatment, regardless of their race, religion, gender, family situation or the status of their caregivers, cultural background, financial situation, or unique abilities or disabilities, thereby giving them opportunities to reach their maximum potential. No child should be treated unfairly for any reason.

7. **Strengthen Children's Resiliencies:** Each child has unique capacities and strengths and possesses the capacity to heal. It is the responsibility of service providers to identify and build upon the child and family's natural strengths as part of the recovery and healing process. Factors which promote children's resilience should be identified and built upon during service provision. Children who have caring relationships and opportunities for meaningful participation in family and community life, and who see themselves as strong will be more likely to recover and heal from abuse.

### 60' Activity: Role play



#### 8.4 Role Play

#### ACTIVITY

☀ Explain that Child-friendly justice can sound abstract and theoretical, so it can be helpful to review sound laws, policies and practices that flow from accepted principles of child-friendly justice. However, it is first important to note that there may not always be one correct solution to a problem that children face in the legal system. Rather, the aim of child-friendly justice is to provide a range of strategies that can be used to adapt a legal proceeding to the particular circumstances of the child or children involved.

Also, ask participants to please bear in mind, that the examples they are given are just some of these solutions in just some of the contexts that children engage with the legal system.



Slide | ☀ Instructions | ☀ Remember | 🗨 Framing | 🗨 Discussion | 🗨 Individual Reflection | ❤ Helpful comments

☀ Separate participants into 4 groups and pass out 4 different child-friendly methods:

1. Children as victims
2. Children as witnesses
3. Children as offenders
4. Children as complainants

15' Ask them to:

- Read their child-friendly method as a small group
- Identify an example that aligns with your method
- Practice role play, and consider who should play what role in the example, build off of the guiding principles previously discussed, and include the method on the paper as a solution

### 5' Give 5 minutes to act it out.

☀ Before the group acts out the role-play, assign each of the 4 groups with an identity: Children as victims; Children as witnesses; Children as offenders, or; Children as complainants. Then after each group is finished role playing ask others to comment on what they noticed; Were there any gaps? What was done well? Then ask the group to read their child-friendly method out loud.

### Children as victims:

- Social workers, police officers, teachers, doctors, nurses, hospital receptionists and anyone else who might encounter child victims should receive appropriate training and be able to quickly refer them to designated points of contact in the legal system.
- Steps should immediately be taken to protect child victims from further harm and to link them with services they may need to reach a full physical and psychological recovery.
- Free 24-hour helplines should be put in place to offer child victims a chance to discuss their options before bringing matters to the attention of authorities.


### Children as witnesses:

- Children should be interviewed by trained professionals in the presence of trusted adults; the number of interviews should be kept to an absolute minimum; and, where multiple interviews are necessary, the same interviewer should conduct each session.
- When a child agrees to testify in court, measures should be taken to keep the child at ease. Children should not be forced to have contact with alleged perpetrators and, where appropriate, audio-visual or closed-circuit television technology should be made available to facilitate prerecorded testimony or live communication from a remote location.

- Children should be asked straightforward questions in language that they understand; techniques designed to test or confuse witnesses, as are frequently employed during cross-examination in adversarial legal systems, should be avoided.
- It should never be presumed that children's testimony or evidence is untrustworthy or inaccurate simply because it is not submitted by an adult.

### Children as offenders:


- Any child apprehended by the police and suspected of wrongdoing should be given an immediate opportunity to contact a parent, guardian or trusted person and provided with access to a lawyer free of charge.
- Police officers should explain to children why they have been apprehended in a way that they can understand and should not question children about their potentially offending behaviour until a parent, guardian, trusted person or lawyer has arrived.
- Children should only be detained in exceptional circumstances and, where this is necessary, should never be detained alongside adults.
- Children as complainants:
  - Children should have access to free legal advice to discuss their rights and the options available for pursuing violations of these rights.
  - Children should be able to initiate legal proceedings directly, through a parent or guardian, and through a chosen or appointed legal representative. Young adults should also be able to initiate legal proceedings to address childhood violations of their rights.
  - Court fees, parental permission requirements, legal representation mandates, and any other constraints that might prevent children from bringing legal proceedings should be removed

 Thank you everyone for participating. I know it's not always easy to put ourselves in the shoes of victims or children, but you all did a great job.

### 20' Questions & comments



#### 8.5 Questions + Comments

 This was a heavy session with a lot of information, so we should make sure to talk through any points that were unclear. What questions do you have? How did the role-play make you feel?









# SESSION 9

Impact of trauma and violence in  
childhood

# SESSION 9

## IMPACT OF TRAUMA AND VIOLENCE IN CHILDHOOD

	<b>SESSION TRAINER</b>	<b>ENTER NAMES OF TRAINERS</b>
	<b>SESSION AIM</b>	<p>As a result of this session, participants will be better able to:</p> <ul style="list-style-type: none"> <li>• Recognize trauma and its impact on children’s behaviour and reactions</li> <li>• Identify special needs to address the trauma + violence</li> <li>• Identify boundaries when working with children adolescents</li> <li>• Understand child development at various stages</li> </ul>
	<b>LOCATION &amp; TIME IN PROGRAM</b>	14.00 - 16.00
	<b>DURATION</b>	1 hour
	<b>MATERIALS</b>	Pens, paper, flip chart, index cards
	<b>PREPARATION</b>	Write on 4 sheets of paper (agree, maybe/sometimes, or disagree), print child development handout (Annex E), print Evaluation form (Annex F)

WHEN		WHAT	WHO
14.00 - 14.10	10'	Introduction: The impact of trauma and violence on child development	ENTER NAMES OF TRAINERS
14.10 - 14.30	20'	Facilitated Discussion: How you do you recognize trauma and work with child survivors	
14.30 - 14.50	20'	Activity: Keeping Boundaries	
14.50 - 15.00	10'	Questions & Comments Introduction for next day	
15.00 - 16.00	60'	Wrap up/Evaluation	

## 10' Introduction



### 9.1 Objectives

🗨️ Explain to participants that early childhood trauma generally refers to the traumatic experiences that occur to children under the age of 10. Because young children's reactions may be different from older children's, and because they may not be able to properly verbalize their reactions to threatening or dangerous events, many people assume that young age protects children from the impact of traumatic experiences.

A growing body of research has established that young children may be affected by events that threaten their safety or the safety of their parents/caregivers, and their symptoms have been well documented. These traumas can be the result of intentional violence—such as child physical or sexual abuse, or domestic violence—or the result of natural disaster, accidents, or war. Young children also may experience traumatic stress in response to painful medical procedures or the sudden loss of a parent/caregiver.

Traumatic events can affect children's moods and their ability to regulate their emotions. Physical or psychological development may be affected by certain kinds of trauma, especially repeated trauma.

## 20' Discussion: Recognizing signs of trauma and work with child survivors

🌟 Pass out child development handout and ask participants to read through it individually.

5' 🗨️ Ask participants if they notice anything surprising or examples they can provide.

🌟 Write these on a flipchart. Describe/define a few of the terms. Tell participants that there are many symptoms, and these are some of the most common. Ask participants:

- Have you come across any of these symptoms when working with a child?
- Have them give examples.



### 9.2 Recognizing signs of trauma


Symptoms

- Flight/Flight/Freeze
- Hyper-vigilance
- Sleep disorders
- Panic attacks
- Anxiety



Slide | 🌟 Instructions | 🌟 Remember | 🗨️ Framing | 🗨️ Discussion | 🗨️ Individual Reflection | ❤️ Helpful comments

- Depression
- Attention issues
- Sensory issues
- Eating/food related issues
- OCD, ticks, self-harming
- Extreme moods (tantrums, anger or even extreme/unnatural affection for strangers)
- Struggles with self-soothing and regulation
- Learning difficulties
- Behaving younger than their proper age (developmental regression)
- Helplessness


 Explain how the brain grows during trauma and how children's responses to fight, flight, or freeze change. Ultimately, the body develops a defence mechanism to shield itself from pain, and an individual can act out or shut down in a time of stress.

Tell participants that depending on the type of trauma, they should make a referral to psychosocial services for counseling and case management and can work with you to interview and work with the child.

## 20' Activity: Keeping boundaries



### 9.3 Keeping Boundaries

 Write one word on 3 sheets of paper (agree, maybe/sometimes, or disagree). Tape the paper in 3 corners of the room.

Tell participants: I will read a sentence and you will stand in the quadrant that makes the most sense to you. Try not to think about it too much go with your instinct.

Once you say a phrase and participants move to their area, ask a few to explain why they are standing there (do this after each phrase you call out)

Phrases

- I make time for family and friends
- I become irritable after working on a difficult case involving children
- I tend to go above and beyond when working with children
- I tend to think of those children as my own




Slide |  Instructions |  Remember |  Framing |  Discussion |  Individual Reflection |  Helpful comments

- I have hobbies that I do outside of work
- I am harder on my own children because of what I see
- I have put blame on myself for certain child cases
- After a hard case I don't talk to anyone about it

Ask participants to sit down and then ask the group:


- What does it mean to have boundaries?
- Why are boundaries important?
- What can you all do to keep your boundaries?

 Thank everyone for participating and for being open to discuss personal boundaries. Let participants know that this something they should reflect more on and try to hold each other accountable.

## 10' Questions & Comments




### 9.4 Questions + Comments + Evaluation


 Remind participants that it is a difficult topic and that we all have to step away from our work to focus on our mental, emotional, and physical well-being. It is important that we do that to be our best at work.

 I know we covered a lot today. What questions or comments do you have?


## 60' Wrap up and Evaluation

 Ensure that participants feel comfortable with sharing. Be positive and try to create an atmosphere where participants don't feel intimidated in sharing their thoughts and opinions.

## 10' Introduction to Training Evaluation


 We will now evaluate the last three days. First, we will try to recall what we have learnt and all the sessions/topics that we have covered. For us as trainers it is really important to get feedback from you to learn and find out what we did well, what we could have done better and also assessing how much you have learnt during the past three days. The way we will do this is first by having an open discussion and hear your thoughts, and then we will pass out a written evaluation form that you should fill out.

## 20' Oral Evaluation

 We will now do an oral evaluation of the course. The way we will do it is with the 'Keep' 'Add' 'Drop' Model.


- For the **Keep** we would like to hear from you all the things that you really liked in the course and that you think should be kept.
- For **Add** we would like to hear what you think was good, but that you would have liked more of or things that were not there that you would have liked to see.
- For **Drop** we are looking for things that you didn't particularly think were relevant or enjoy and that we should take out of the training.

Please give us feedback on the topics, sessions, information, training methods etc. All thoughts are welcome.


 Remember to smile, be encouraging and energetic and do not defend or start explaining. Just let them give their points and say thank you. When you are done with this exercise, tell the participants that you appreciate their thoughts and that you will take it all into account.

## 15' Written Evaluation

 Please find and use the evaluation form in Annex F.

 We will now fill out the written evaluation. Please be honest and give as many examples as possible. Also, do not hesitate to ask if you have any questions to the questions that we posed.

## 15' Check out

 We will now stand in a circle (make sure to make space with all of them). Each person will share one short sentence of what they are grateful for learning/experiencing. We will go around the circle and start on my left (trainers also take part in sharing and Graces shares last).

# **ANNEXES**

**ANNEX A: INTRODUCTION ELEPHANT GAME**

**ANNEX B: INTRODUCTION EXAMPLES OF  
INTERNATIONAL GBVC GUIDELINES**

**ANNEX C: SESSION 7 VERBAL + NON-  
VERBAL COMMUNICATION WITH CHILDREN**

**ANNEX D: SESSION 8 CHILD-FRIENDLY  
INTERVIEW PROCESS**

**ANNEX E: SESSION 9 STAGES OF CHILD  
DEVELOPMENT**

**ANNEX F: EVALUATION FORM MODULE 3**

## ANNEX A: INTRODUCTION ELEPHANT GAME

Do not talk to anyone in the group and do not let them see what you are drawing. Draw one leg.

Do not talk to anyone in the group and do not let them see what you are drawing. Draw one leg.

Do not talk to anyone in the group and do not let them see what you are drawing. Draw a body.

Do not talk to anyone in the group and do not let them see what you are drawing. Draw a tail.

Do not talk to anyone in the group and do not let them see what you are drawing. Draw one trunk.

Do not talk to anyone in the group and do not let them see what you are drawing. Draw 2 ears.

### Group 2 Instructions:

- You can talk and read what you have on your paper
- Everyone at this table is going to work together to draw an elephant

Draw two legs

Draw a tail

Draw a trunk

Draw the ears

Draw the body



## ANNEX B: INTRODUCTION EXAMPLES OF INTERNATIONAL GBVC GUIDELINES

You can find the complete formal recommendation on GBVC Guidelines in the following link: <https://www.dropbox.com/s/3wwrtfp1qbd4tsa/GBVC%20Guideline%20%28Formal%20Recommendation%29%20%2829%20May%202017%29.pdf?dl=0>

Below we provide a brief summary of key recommendations to improve access to justice for the survivor, increase security and protection for lawyers, witnesses and survivors and reduce impunity for perpetrators.

### Improve Co-ordination by:

1. Strengthening of oversight bodies, including the development of a Terms of Reference for the Sexual Violence Oversight Committee (SVOC) in South-Central Somalia.
2. Establishing a Somalia-wide legal aid network to strengthen the capacity of all legal aid providers to overcome and address challenges. This network should meet periodically outside of Somalia.
3. Adopt a '360' legal-medical-psycho-social approach by undertaking:
  - joint '360' trainings of all response providers to GBV offences including legal aid providers, medical practitioners, desk police, Criminal Investigations Department staff, Attorney General's office staff and judges. This will strengthen the relationships between 360 response providers, develop their capacity to respond to reports of GBV and increase the likelihood of cases proceeding to prosecution stage. Improve Investigations and prosecutions through:
  - Appointing special judges and prosecutors for GBV cases. This will ensure survivors are given a fair trial in accordance with the applicable laws and best practice standards
  - Sending forensic evidence to another state for analysis and storage, while at the same time building the capacity of local actors to collect, store and analyse this evidence. (This arrangement would be maintained until capacity to collect and analyse forensic evidence is developed in Somalia. This will reduce the number of cases dropped due to lack of evidence)
4. Developing and implementing a policy on criminal prosecution of GBV, which: authorizes all hospitals to provide a medical certificate evidencing GBV; specifies medical certificates are not required to prosecute; allows legal aid providers to give evidence to investigators; and stipulates that legal aid providers be given access to court documents relating to their clients. It will overturn negative policies and specify that negative practices that have developed over time are not mandated in law or policy and should not be followed.
5. Attorney General and Police Commissioner to issue circular stating that no person or group can intervene in court proceedings and that officials who release prisoners will be charged with Abuse of Office. This will reduce the number of cases in which elders intervene to prevent the formal case reaching its conclusion.

6. Establish/ re-establish and expand the mandate of the Police Advisory Committee (PAC). This will increase oversight of the investigation process and lead to more successful investigations and prosecutions of GBV offences.

### **Changing Policy and Practice by:**

1. Conducting trainings with the judiciary on how to hear public interest cases,
  - including constitutional petitions and civil cases taken in the public interest. This will
  - give the judiciary the tools to develop and shape the law in accordance with the Constitution(s) and international standards.
2. Training legal aid providers on proactive legal strategies, including advocacy and public interest litigation, to challenge existing law and policy. This will give lawyers the tools to be proactive rather than purely reactive in their response to the current system by challenging unfair law, policy and practice.

### **Improve safety and security by:**

1. Adopting a protocol for protection of survivors, witnesses and lawyers in court in GBV cases to improve protection of survivors, witnesses and lawyers. This will
  - decrease the number of survivors exposed to risk during court procedures and the number of survivors who choose to proceed with prosecution.
2. Providing technical assistance to improve legal aid providers' safety and security
  - protocols. This will prevent staff and clients at legal aid providers from being
  - harassed and threatened and enable them to more easily
3. Expanding and establishing safe houses to improve safety and security of witnesses and survivors. This will also encourage more survivors to proceed with prosecution.
  - Increase reporting and improve quality of information by:
    - Recording and releasing statistics relating to reported offences, prosecutions and successful cases relating to GBV. This information should be collected by the Sexual Violence Oversight Committee (in South Central) or the GBV Oversight Officer (in Somaliland and Puntland). This will increase availability of accurate information from which government and civil society may assess challenges and identify possible solutions. It should not include information that would lead to identification of the survivors.

4. Supporting the drafting of protocols on working with GBV survivors and children,
- sexual exploitations and abuse and safety and security. This will also increase general
  - capacity to draft relevant policies.

5. Supporting and improving monitoring and evaluation mechanisms through the drafting of policies to ensure that all staff members record successes and failures and

- that these are compiled into reports that are presented at staff meetings and made
- available to external sources. This will ensure that providers learn from past
- experiences and employ strategies that have proven to be successful.

## ANNEX C: SESSION 7 VERBAL + NON-VERBAL COMMUNICATION WITH CHILDREN

Court staff must have the ability and commitment to put the following child-friendly values and beliefs into practice, and to ensure child-friendly attitudes are communicated during the provision of care:

- Children are resilient individuals.
- Children have rights, including the right to healthy development.
- Children have the right to care, love and support.
- Children have the right to be heard and be involved in decisions that affect them.
- Children have the right to live a life free from violence.
- Information should be shared with children in a way they understand.

In addition, there are specific beliefs that are absolutely vital for providers to have when working with child sexual abuse survivors. They include the belief that:

- Children tell the truth about sexual abuse.
- Children are not at fault for being sexually abused.
- Children can recover and heal from sexual abuse.
- Children should not be stigmatized, shamed, or ridiculed for being sexually abused.
- Adults, including caregivers and service providers, have the responsibility for helping a child heal by believing them and not blaming them for sexual abuse.

### VERBAL

#### Child-Friendly Communication Techniques

Children, ages six years and older, who are able to communicate verbally can benefit from service providers who implement the following strategies:

1. Talk with children about their life, school, family and other general topics before asking direct questions about their experience(s) of abuse. This helps the service provider to gauge the child's capacity to be verbal and helps a child feel at ease with the service provider.
2. Use as many open-ended questions as possible. Avoid multiple-choice or yes/no questions, which can be confusing and lead the child to give inaccurate responses.
3. Avoid using the words "why" or "how come." This will result in answers frustrating for you and the child: "I don't know," for example, or a shrug of the shoulders, or silence. Instead, ask for the child's opinion as to why something is so: "What do you think the reason is...?" In addition, "why" questions can come across as blaming, such as "Why didn't you..." for example.
4. Use words that encourage the child to continue talking:

- “Tell me more about that...”
- “What do you mean by...”
- “Give me an example of...” or “Describe for me...”
- “Go on...”
- “And then what happened...?”

5. Don't put words in the child's mouth. Whether using verbal or non-verbal techniques. For example, do not say, “Did he put his hands on your breasts?” Or if using a doll to help a child communicate what happened, do not point to the breasts on the doll and ask, “Did he touch you here?” Instead, ask the child to show you where he/she was touched. Other examples of useful questions or statements:

- Has anyone ever touched you in a way that makes you confused or frightened?
- Share with me how you were touched.
- Tell me what happened next.
- Use your own words. It is okay to go slowly.

6. Choose the right words. Children, especially those under the age of six, take words literally, so the service provider must be sure to use concrete language. For example, if you ask a young child, “Did he drive you away in his car?” the child may answer negatively—if the actual vehicle was a truck.

7. Empower children: After children describe events or occurrences in their lives and talk about their reactions, they must be reassured that they “did the right thing” by telling another person about these events. It may be helpful to allow them the opportunity to explore their ideas and solutions: “What would you tell other kids to do if they were in the same situation?” If they are unable to reply, you can offer them paper and crayons and see if they want to draw their ideas.

## NON-VERBAL

1. Nondirective techniques apply when a service provider invites children to draw a picture or tell a story but does not give specific directions about what they might draw or say. The person working with the child can then see what the child may be thinking or feeling, based on what the child chooses to draw, and so on. This is a good way to engage children at the beginning of an interview or meeting, allowing the child to relax and engage in a fun and creative activity without being told what to do.

2. Directive techniques apply when a service provider asks a child to participate in an art or other creative activity. These techniques can be very useful during interviews with children to gather information about specific areas of a child's life. Examples of directive art and play techniques that can be used to better understand a child include:

- Having a child draw his or her family (anyone living in their house). This can be a very effective

way to find out who lives with the child. Once the child draws the picture, service providers can ask additional questions about the family: to whom is the child closest? Who is he or she scared of? With whom does he or she get along? What do family members do during the day? ...and so on.

- Having a child draw his or her daily activities. This can be an effective way to find out what the child's day is like. Is he or she in school, out of school? Who does he or she spend time with? Does he or she describe certain friends or activities? ...and so on.
- Having a child draw their safety circle. The child draws a circle and puts inside the circle what and who makes him or her feel safe. This can be an excellent way to identify safety concerns the child may have. The service provider can take this activity a step further and have the child draw the things outside of the circle that scare them (the circle being the symbolic boundary of safety). This can provide additional information about the child's perception of risk (what and whom) and safety (what and whom).
- Having a child use dolls. Using dolls, a child shows where or how he or she was touched. For example, asking a child to show you where on the doll he or she was touched or hurt. The service provider should not lead the child, for example, pointing to a child's breast, vagina, penis or other body part and asking, "Did he/she touch you here?" This is a leading question and children may want to please the person asking and could answer "yes" when, in fact, the answer is "no." The use of dolls in interviews with children require specific

3. Having a child use dolls to find common language. It can be very useful to have dolls and drawings to define common terminology for body parts. Studies have shown that children use many different names for private parts, and many young children do not know which parts of the body are considered private. Young children tend to use a wider range of words to refer to body parts and sexual acts than do older children. Younger children also use the same word or phrases to refer to more than one body part or sexual act. Thus, the service provider must take the time to clarify the words and phrases used by children to ensure an accurate understanding of children's statements.

## SESSION 7 CASE STUDY

### Case Study 1:

A 12-year-old boy was sexually abused by his neighbor. He is too embarrassed to talk so he did not tell anyone. He was not feeling well so his parents took him to the doctor. The doctor thinks something is wrong, but the boy will not talk much. The doctor suggested that maybe he go to see a service provider that could help him. The provider laughed at the boy and said boys cannot be sexually abused and said he should be a man about it. The provider asked him many questions and did not get very many answers, so then the provider decided that the boy might be lying, because he kept changing his story.

### Case Study 2:

A 17-year old girl was trafficked to Accra. She has no idea where she is, so she goes to the police station, and they refer her to FIDA to get her help and enough evidence for a court case. The lawyer tries to talk to the girl, but she is scared, and she cannot remember parts of her story. When the girl answers a question, the lawyer asks why that happened or why didn't you try to run away. The 17-year old does not want to be there and does not want to answer any questions. The lawyer says that they need to hear what happened to help her, so they keep asking her the same questions when she says she cannot remember. When the girl is talking she sees that the lawyer is looking on her phone.

### Case Study 3:

A 9-year-old girl has been sexually abused. She was brought to the police by her aunt. The police officer is asking a lot of complicated questions that are hard to understand, but she gives answers and says yes to whatever he asks, because she is scared. She does not want to make anyone upset, so she tries to sit there quietly and behave, but no one has told her why she is there. There are a lot of people standing around her and asking different questions. She is not sure how she should be answering those questions or how to explain what happened. She was told that she would be able to see her aunt soon, who was waiting outside.

## SESSION 7 COMMUNICATION WITH CHILDREN

1. Be Nurturing, Comforting and Supportive Children who have been sexually abused most likely will come to your attention through a caregiver or another adult; abused children rarely seek help on their own. Children may not understand what is happening to them or they may experience fear, embarrassment or shame about the abuse, which affects their willingness and ability to talk to service providers. Your initial reaction will impact their sense of safety and willingness to talk, as well as their psychological well-being. A positive, supportive response will help abused children feel better, while a negative response (such as not believing the child or getting angry with the child) could cause them further harm.
2. Reassure the Child Children need to be reassured that they are not at fault for what has happened to them and that they are believed. Children rarely lie about being sexually abused and service providers should make every effort to encourage them to share their experiences. Healing statements such as "I believe you" and "It's not your fault" are essential to communicate at the outset of disclosure and throughout care and treatment. Direct service providers communicating with child survivors need to find opportunities to tell them that they are brave for talking about the abuse and that they are not to blame for what they have experienced. It is required for service providers to tell children that they are not responsible for the abuse and to emphasize that they are there to help them begin the healing process.
3. Do NO Harm: Be Careful Not to Traumatize the Child Further Service providers should monitor any interactions that might upset or further traumatize the child. Do not become angry with a child, force a child to answer a question that he or she is not ready to answer, force a child to speak about

the sexual abuse before he/she is ready, or have the child repeat her/his story of abuse multiple times to different people. Staff should try to limit activities and communication that cause the child distress.

4. **Speak So Children Understand** Every effort should be made to communicate appropriately with children; information must be presented to them in ways and language that they understand, based on their age and developmental stage.

5. **Help Children Feel Safe** Find a safe space, one that is private, quiet and away from any potential danger. Offer children the choice to have a trusted adult present, or not while you talk with them. Do not force a child to speak to, or in front of, someone they appear not to trust. Do not include the person suspected of abusing the child in the interview. Tell the child the truth—even when it is emotionally difficult. If you don't know the answer to a question, tell the child, "I don't know." Honesty and openness develop trust and help children feel safe.

6. **Tell Children Why You Are Talking with Them** Every time a service provider sits down to communicate with a child survivor, she should take the time to explain to the child the purpose of the meeting. It is important to explain to the child why the service provider wants to speak with them, and what will be asked to the child and his/her caregiver. At every step of the process, explain to children what is happening to help secure their physical and emotional well-being.

7. **Use Appropriate People** In principle, only female service providers and interpreters should speak with girls about sexual abuse. Male child survivors should be offered the choice (if possible) to talk with a female or male provider, as some boys will feel more comfortable with a female service provider. The best practice is to ask the child if he or she would prefer to have male or female trained staff on hand.

8. **Pay Attention to Non-Verbal Communication** It is important to pay attention to both the child's and your own non-verbal communication during any interaction. Children may demonstrate that they are distressed by crying, shaking or hiding their face, or changing their body posture. Curling into a ball, for example, is an indication to the adult working with the child to take a break or stop the interview altogether. Conversely, adults communicate non-verbally as well. If your body becomes tense or if you appear to be uninterested in the child's story, he or she may interpret your non-verbal behavior in negative ways, thus affecting his or her trust and willingness to talk.

9. **Respect Children's Opinions, Beliefs and Thoughts** Children have a right to express their opinions, beliefs and thoughts about what has happened to them as well as any decisions made on their behalf. Service providers are responsible for communicating to children that they have the right to share (or not to share) their thoughts and opinions. Empower the child so he/she is in control of what happens during communication exchanges. The child should be free to answer "I don't know" or to stop speaking with a service provider if he/she is in distress. The child's right to participation includes the right to choose not to participate.



## ANNEX D: SESSION 8 CHILD-FRIENDLY INTERVIEW PROCESS

The five stages in interviewing the child should be employed:

### RAPPORT/INTRODUCTION

The essence of this stage is to bridge the gap in communication between the child and the adult investigators. The following steps must be followed closely:

- a) Introduce yourselves and your roles,
- b) Introduce the interview room to the child and allow him/her to choose where to sit.
- c) Briefly discuss the child's interests e.g. – cooking, football etc.
- d) Introduce the rules:

“In this room, there are few rules but they are very important for us to follow”. Explain the following rules and get his/her consent in following the rules.

### RULE 1 “ACCURACY”

INTERVIEWER: “To understand what happened, I need you to talk about only things that are true and that really happened. Is that ok?”

### RULE 2 “EXPLAIN AGAIN”

INTERVIEWER: “In case you don't understand anything we say or you want us to explain a word, you can ask us to explain again, ok? Please remember that I will not get angry or upset with you.”

### RULE 3 “I DON'T KNOW”

INTERVIEWER: “You are not forced to provide answers to all our questions. You have the right to say “No”, “Yes”, “I don't know” or anything you wish to say in response to any question, ok? If you are not sure about an answer, please do not guess. Just tell me you are not sure. “

### FREE NARRATIVE

Allow the child to freely narrate his/her story uninterrupted.

- Ask the child “DO YOU KNOW WHY YOU ARE HERE TODAY?”
- If the answer is “YES” allow him/her to explain.
- If the answer is “NO” ask him/her “can you remember what you told.....that was worrying you? Or “can you tell me what happened at XXX street on that day?”
- “can you tell me more about.....”
- “what happened then?”
- “when did it happen?”

## QUESTIONING

After the free narrative, the interviewer can ask questions to find out more about the subject under investigation.

- Do NOT ask “WHY?” questions. They indicate blame e.g. “Why did you go there?” Instead: “What were you doing there?”, or: “What did you do there?” are better.
- Avoid “CLOSED” questions (Those that need one or two answers) e.g. “Were his/her pants blue?” It should be “What color were his/her pants?”
- Don’t ask “LEADING” question e.g. “Did he rape you?” This implies that the investigator has suggested the answer to the child.

## CLOSURE

- Thank the child for his/her cooperation
- Return to a neutral topic e.g. child’s interest that was discussed earlier. Tell him/her to check at your office at any time
- Read the narrative to the child  
Ask him/her whether it is TRUE and CORRECT.  
Ask the child “do you wish to change or add anything?”
- If “YES” do the changes  
If “NO” close the interview.

All interviews with victims/witnesses should be conducted in a private room, in the presence of investigators and other person(s) whose presence is allowed/requested by the victim/witness. Further, investigators should remove all personal information (such as name or contact address) on the victim from those documents that will be made public.

## SESSION 8 CHILD-FRIENDLY METHODS ROLE PLAY

### Children as victims:

- Social workers, police officers, teachers, doctors, nurses, hospital receptionists and anyone else who might encounter child victims should receive appropriate training and be able to quickly refer them to designated points of contact in the legal system.
- Steps should immediately be taken to protect child victims from further harm and to link them with services they may need to reach a full physical and psychological recovery.
- Free 24-hour helplines should be put in place to offer child victims a chance to discuss their options before bringing matters to the attention of authorities.

### Children as witnesses:

- Children should be interviewed by trained professionals in the presence of trusted adults; the number of interviews should be kept to an absolute minimum; and, where multiple interviews are necessary, the same interviewer should conduct each session.

- When a child agrees to testify in court, measures should be taken to keep the child at ease. Children should not be forced to have contact with alleged perpetrators and, where appropriate, audio-visual or closed-circuit television technology should be made available to facilitate prerecorded testimony or live communication from a remote location.
- Children should be asked straightforward questions in language that they understand; techniques designed to test or confuse witnesses, as are frequently employed during cross-examination in adversarial legal systems, should be avoided.
- It should never be presumed that children’s testimony or evidence is untrustworthy or inaccurate simply because it is not submitted by an adult.

### **Guidelines for Children as offenders:**

- Any child apprehended by the police and suspected of wrongdoing should be given an immediate opportunity to contact a parent, guardian or trusted person and provided with access to a lawyer free of charge.
- Police officers should explain to children why they have been apprehended in a way that they can understand, and should not question children about their potentially offending behaviour until a parent, guardian, trusted person or lawyer has arrived.
- Children should only be detained in exceptional circumstances and, where this is necessary, should never be detained alongside adults

### **Guidelines for Children as complainants:**

- Children should have access to free legal advice to discuss their rights and the options available for pursuing violations of these rights.
- Children should be able to initiate legal proceedings directly, through a parent or guardian, and through a chosen or appointed legal representative. Young adults should also be able to initiate legal proceedings to address childhood violations of their rights.
- Court fees, parental permission requirements, legal representation mandates, and any other constraints that might prevent children from bringing legal proceedings should be removed.

## **SESSION 8 GUIDING PRINCIPLES FOR WORKING WITH CHILDREN**

### **GUIDING PRINCIPLES FOR WORKING WITH CHILDREN**

#### **1. Promote the Child’s Best Interest:**

A child’s best interest is central to good care. A primary best interest consideration for children is securing their physical and emotional safety—in other words, the child’s wellbeing—throughout their care and treatment. Service providers must evaluate the positive and negative consequences of actions with participation from the child and his/her caregivers (as appropriate). The least harmful course of action is always preferred. All actions should ensure that the children’s rights to safety and ongoing development are never compromised.

## 2. Ensure the Safety of the Child:

Ensuring the physical and emotional safety of children is critical during care and treatment. All case actions taken on behalf of a child must safeguard a child's physical and emotional well-being in the short and long terms.

## 3. Comfort the Child:

Children who disclose sexual abuse require comfort, encouragement and support from service providers. This means that service providers are trained in how to handle the disclosure of sexual abuse appropriately. Service providers should believe children who disclose sexual abuse and never blame them in any way for the sexual abuse they have experienced. A fundamental responsibility of service providers is to make children feel safe and cared for as they receive services.

## 4. Ensure Appropriate Confidentiality:

Information about a child's experience of abuse should be collected, used, shared and stored in a confidential manner. This means ensuring 1) the confidential collection of information during interviews; 2) that sharing information happens in line with local laws and policies and on a need-to-know basis, and only after obtaining permission from the child and/or caregiver; 3) and that case information is stored securely. In some places where service providers are required under local law to report child abuse to the local authorities, mandatory reporting procedures should be communicated to the children and their caregivers at the beginning of service delivery. In situations where a child's health or safety is at risk, limits to confidentiality exist in order to protect the child.

## 5. Involve the Child in Decision-Making:

Children have the right to participate in decisions that have implications in their lives. The level of a child's participation in decision-making should be appropriate to the child's level of maturity and age. Listening to children's ideas and opinions should not interfere with caregivers' rights and responsibilities to express their views on matters affecting their children. While service providers may not always be able to follow the child's wishes (based on best interest considerations), they should always empower and support children and deal with them in a transparent manner with maximum respect. In cases where a child's wishes cannot be prioritized, the reasons should be explained to the child.

## 6. Treat Every Child Fairly and Equally:

(Principle of Non-Discrimination and Inclusiveness): All children should be offered the same high-quality care and treatment, regardless of their race, religion, gender, family situation or the status of their caregivers, cultural background, financial situation, or unique abilities or disabilities, thereby giving them opportunities to reach their maximum potential. No child should be treated unfairly for any reason.

## 7. Strengthen Children's Resiliencies:

Each child has unique capacities and strengths and possesses the capacity to heal. It is the responsibility of service providers to identify and build upon the child and family's natural strengths as part of the recovery and healing process. Factors which promote children's resilience should be identified and built upon during service provision. Children who have caring relationships and opportunities for meaningful participation in family and community life, and who see themselves as strong will be more likely to recover and heal from abuse

## ANNEX E: SESSION 9 STAGES OF CHILD DEVELOPMENT

### NEWBORN TO 2 YEARS

#### Emotionally & Mentally

- Physically helpless and totally dependent on others for their safety and well-being
- Can develop strong bond with caregivers if needs are met
- Start to feel fear and separation anxiety; may show mistrust of strangers
- Generally, cry if they are scared, hungry, sick, unhappy, etc.

As they develop:

- They understand they are separate from their environment and other people
- Start to understand what is being said to them and follow simple requests

#### Physically

- Learn to move their bodies by themselves – hold up their head, sit up, walk and talk
- Learn to use their hands and eyes together to grab objects and throw things
- Develop sense of vision, hearing, tasting, smelling and feeling

#### Concerns

- Failure to meet basic needs may lead to child not having trust in others
- Without love and support, the child may experience shame and doubt themselves

#### Role of the Caregiver

- Be reliable and consistent – this is crucial to developing the child's trust
- Be friendly and accepting and encouraging the child to achieve tasks

### AGES 3-5 YEARS

#### Emotionally/Mentally

- Tend to be very self-focused, but start to learn social rules and what is expected of them from the family, school, and community; starts to know right from wrong.
- Start to attend school;
- Asks a lot of questions
- Thinks in the “here and now” and difficult to understand things happening in the future
- May develop new relationships outside the home (e.g., teachers, peers)

#### Physically

- Develops self-care skills (e.g., dressing, feeding, toileting)
- Tends to have very high degree of energy

## Concerns

- Failure to learn self-care skills may lead to one feeling guilty or afraid to try new tasks
- May depend on adults and others too much; may be unable to deal with concerns

## Role of a Caregiver

- Allow child to experiment, but at the same time setting limits
- Give honest answers to their questions
- Give praise when the child achieves; do not scold harshly if the child fails at certain tasks
- Encourage creativity, and encourage talking about feelings

## AGES 6-11 YEARS

### Emotionally/Mentally

- Continue to work on skills and tasks, including reading, writing and mathematics
- Begins to understand another person's point of view may be different from their own
- Gain greater understanding of emotions and how people are feeling
- Begins to think logically about concrete things they experience in everyday life
- Increased understanding of social norms and roles; can have increased responsibilities
- Can better solve problems as their memory skills improve

### Physically

- Growing in height and weight
- Able to do more with their body and hands since they have more control of them

## Concerns

- If the child is not able to accomplish the tasks, he/she may give up hope
- Child may feel inferior to peers, or may feel inadequate

## Role of Caregiver

- Praise the child's efforts
- Encourage child to see him/herself as equal to peers, and being able to achieve
- Teach them how to handle failure and solve problems

## AGES 12-18 YEARS

### Emotionally/Mentally

- Think primarily of themselves, but are beginning to think about the future
- Focus most of their attention on social relationships with their peers and are preoccupied

with appearances, beliefs, and values

- Begin to establish their own identity but at same time want to belong to a group
- Often do not want to do what they are told to do because they want to be independent
- Experience a stronger gender division in roles and expectations
- Can begin to have serious relationships (romantic, family, and friends)
- Increased understanding of moral issues and right vs. wrong; looking for role models

### **Physically**

- Experience intense physical changes in the body (puberty)

### **Concerns**

- If a child does not successfully achieve this stage, there may be confusion, self- doubt

### **Role of the Caregiver**

- Keep open communication channels
- Encourage child to speak their mind, express opinions, and/or express difficult feelings
- Provide advice and guidance
- Set boundaries



## ANNEX F: EVALUATION FORM MODULE 3

### FINAL COURSE EVALUATION – MODULE 3

This written evaluation has been developed to help us get feedback on your views and experience of attending the 3-day training. We welcome your feedback on the Module 3 training (in the GBVC Guidelines and child-friendly methods).

Thank you 😊

1. In general the course (mark an X):

Met my expectations	Partly met my expectations	Didn't meet my expectations

2. The course was (mark an X):

Very relevant for my daily work	Relevant for my daily work	Not relevant for my daily work

3. The trainers ability to ensure a high level of participation by all was (mark an X):

Very good	Good	OK	Poor	Very poor

4. The trainers' ability to create a stimulating learning environment using diverse methods was (mark an X):

Very good	Good	OK	Poor	Very poor

5. Additional comments regarding trainers:

Comments:

6. Overall the length of the training was adequate (mark an X):

Very adequate	Adequate	Not enough time

9. Please state your agreement with the following statements about the Module 3 course (mark an X):

The Module 3 training made me...	Fully agree	Partly agree	Do not agree
Increased my understanding of the content of the GBVC Guidelines			
Learn more about international best practices and the rule of law			
Reflect on how to improve the courts handling of survivors and general code of conduct			
More aware of my own role in dealing with survivors at the courts as well as improving our performance			
See the gaps in the current GBVC Guidelines and made concrete suggestions for strengthening them			
Increase my knowledge on how to work with child survivors in the court and applying child friend methods			

10. What was the one thing that you learnt from the Module 3 training that impacted you the most?

Comments:

11. Any further comments e.g. were there any areas of content (either for the ToT and for the Module 3) missing or any areas that could have been developed more?

Comments:

12. What are the 3 most important things you have learnt from this 5-day training (please give detailed examples)?

Comments:
1.
2.
3.

13. Please make 3 specific suggestions on how to make this training better in the future.

Comments:
1.
2.
3.



JUDICIAL SERVICE  
OF GHANA

# TRAINING MANUAL

## GENDER-BASED VIOLENCE TRAINING FOR CHILD-FRIENDLY GBV COURTS IN GHANA

### MODULE 3: ROLE OF THE GENDER-BASED VIOLENCE COURT



**Danida Fellowship Centre**  
- sustaining development through research and learning

**unicef**   
for every child