

Police Mediation of Spousal Violence in Nepal: Perceptions of Victims and Perpetrators

Context: Extent of Spousal Violence

Self-Reported Victimization

The National Demographic Health Survey (2016) showed that one in three women reported that they had been victims of spousal violence.

About 38.8 percent of Nepali women aged between 15-49 years seek help for spousal violence. Among these women, most turn to their own families (66.3 percent), neighbour (31.4 percent), friend (22.3 percent) and husband's family (9 percent) for help.

Only 7.5 percent contact the police.



Definition of Spousal Violence

Any form of physical, mental, sexual or economic abuse perpetrated by a husband on his wife. Economic abuse includes depriving the victim from using any property that she has entitlement to under the law or preventing the victim from accessing employment opportunities, economic resources or means.

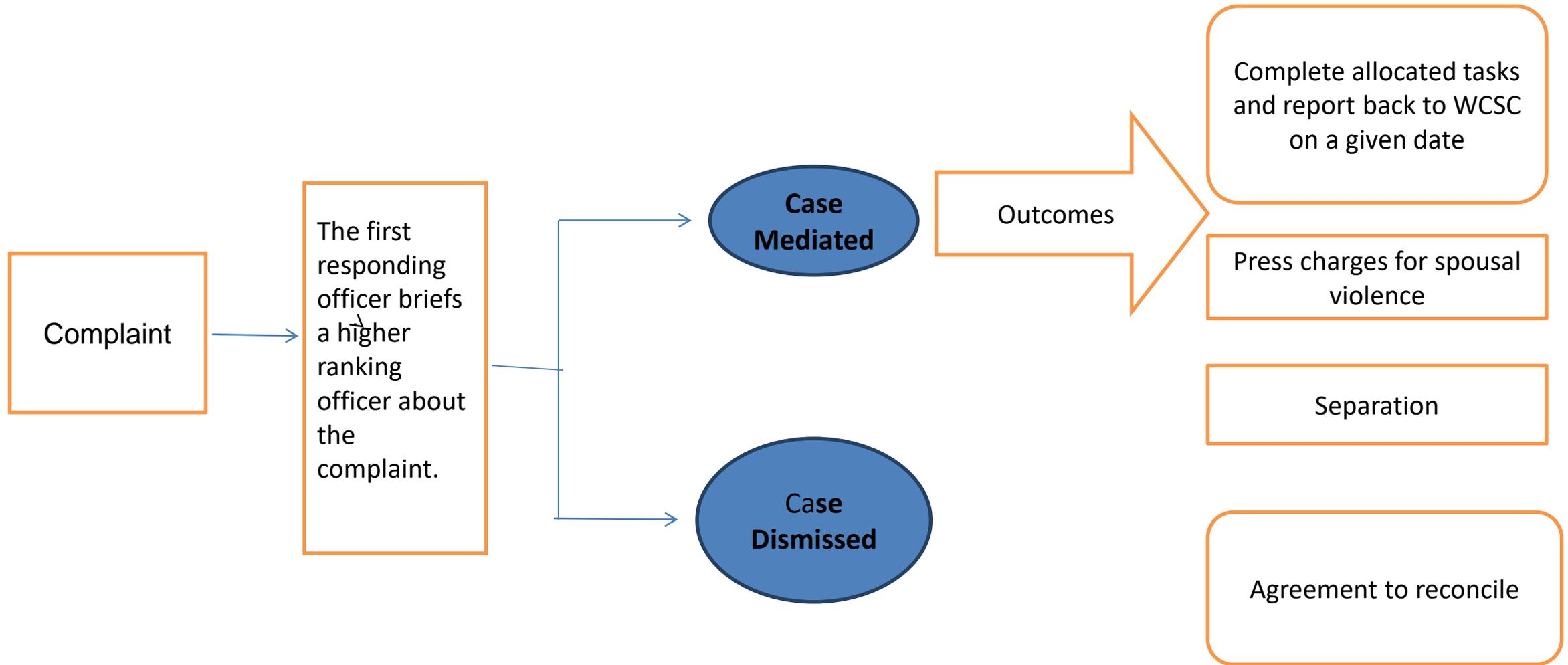
Domestic Violence (Crime and Punishment Act) 2009

Methodology

- Exploratory study conducted in one Women and Children's Service Centre (WCSC) in Kathmandu
- **Methods used:**
 - Participant observation:** 100 mediations observed over a period of 11 months.
 - Interviews:** 82 victims, 73 perpetrators were interviewed after mediation.

A second interview was then conducted with 77 out of 82 victims, one month after each mediation, to understand how mediations affected subsequent violence in the short-term.

The Police Mediation Programme



Sample

Socio-demographic Characteristics

- The victims in this research tended to be older than the Kathmandu average when they got married.
- Victims had at least secondary or higher levels of education when they came to the WCSC.
- Couples were generally from low income households where perpetrators were twice as likely to be employed as their wives.
- Most of the violence reported occurred in same-caste autonomous marriages and nuclear families.



Findings

During mediations, in the observer's assessment, victims as opposed to perpetrators received better police treatment.

- They had a greater chance to tell their story.
- They were listened to more and officers were politer to them.
- Higher numbers of perpetrators, in comparison, were scolded, physically abused and detained by police. Most victims and perpetrators viewed police coercion as rightful.

Findings- Similarities in Views

- The greatest concurrence of views between the three perspectives: victims, perpetrators and observer were found when police used force against the participants in the form of violence and detention.
- These three parties also agreed on the types of outcome reached and its key terms. In fact, participants remembered outcomes and its terms with more clarity than other aspects of police treatment.

Findings- Differences in Views

- The perceptions of the observer differed the most with participants in terms of identifying disrespectful behaviour by the police such as scolding and improper conduct.
- While the observer noted more use of scolding and improper conduct overall, victims overreported being scolded themselves while perpetrators underreported such incidences.

Subsequent Behaviour- Compliance

- During the follow-up interviews, about 48.5 (N=37) percent victims reported that perpetrators had fully complied with the terms of the outcome.
- Approximately 26 percent of victims (N=20) reported there was partial compliance with the terms of the decisions reached at mediation.
- The remaining 26 percent of victims (N=20) explained that the perpetrators had not complied with any of the terms of mediation.

Subsequent Behaviour- Self-Reported Violence

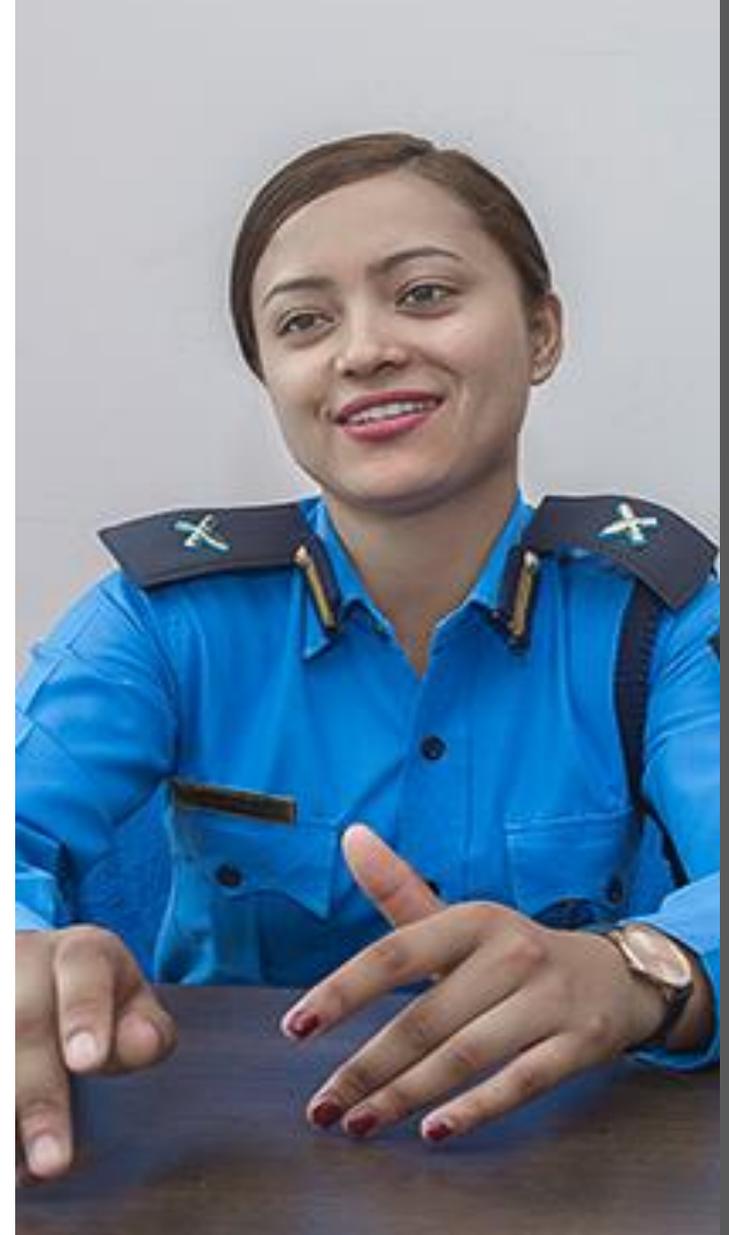
- Self-reports from 77 victims and 28 perpetrators:
- Four perpetrators reported subsequent violence.

Type of Violence	No. of victims interviewed who reported abuse before mediation	No. of victims interviewed who reported abuse after mediation
Physical violence	60	6
Psychological abuse	82	23
Sexual Violence	11	3
Economic abuse	30	18

Procedural Justice and Satisfaction

Elements of procedural justice positively correlated to increased satisfaction for victims and perpetrators

- Chance to tell their stories
- Police listening and paying attention to them as opposed to third parties.
- Police politeness
- Police understanding the underlying problems the couple were having.
- Outcomes: obtaining the desired outcome and viewing the outcome as right.



Procedural Justice and Satisfaction

Elements of procedural justice negatively correlated to satisfaction:

- Being scolded by the police.
- Control over decisions making: when outcomes were unilaterally imposed on the participants by the police, it decreased satisfaction.

For victims, their involvement in final decision-making increased satisfaction. However, for perpetrators, personal involvement in deciding outcomes decreased satisfaction.

Procedural Justice and Subsequent Behaviour

For victims,

- No element of procedural justice had an association with physical violence post mediation.
- Decreases in sexual violence was associated with the victims' chance to tell their story, police politeness and officer's ability to understand the case.
- Police listening to non-family members present during mediation and views that police were helpful to victims were linked to decreases in economic abuse. Notably, police listening to third-parties during mediation had not affected satisfaction
- Engagement in improper conduct by police during mediation was associated with increased psychological abuse afterwards.
- Outcomes desirability and fairness that had strong links with satisfaction, had no relationship with subsequent abuse.

For perpetrators,

Procedural justice in mediations and satisfaction had no bearing on self reported subsequent violence.

Conclusion

- For both victims and perpetrators, elements of the mediation related to procedural justice were associated with satisfaction.
- However, procedural justice, had a weak relationship with subsequent abuse.

