Addressing the Issue of Domestic Violence at the Workplace: A Review of the Implementation of the Victim Empowerment and Abuser Rehabilitation Policy in Mauritius

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ARTICLE INFO	ABSTRACT
	It has been widely acknowledged that the majority of persons affected by Gender-Based Violence (GBV) are women and girls. The violence females are subject to can occur at each stage of their life with immediate and long-term effects. According to a World Bank publication, entitled '*The Costs of Violence*' (2009) most estimates on the cost to society of GBV have focused on domestic violence. Data provided by 'A study of the Extent, Nature and Costs of Domestice Violence to the Mauritian Economy' (2010) reveals that the actual number of individuals' victim of domestic violence is forty-six times higher than the administrative data provided the Ministry of Gender Equality, Child Development and Family Welfare. To scale up the fight against domestic violence the Government of Mauritius has launched the Victim Empowerment and Abuser Rehabilitation Policy (VEARP) in 2013 whereby the workplace becomes a platform for primary prevention. This study aims to document the consultations held with stakeholders at the workplace (public and private sector) and to make proposals to ensure that the VEARP is institutionalised at the workplace. It has been found that the Human Resource (HR) function is not well developed in the Mauritian society and among the three main models of prevention of domestic violence at the workplace; the partnership model is the most appropriate. The organisation of training of trainers on GBV issues and the referral system set up by the Ministry of Gender Equality, Child Development and Family Welfare will encourage employers to join the fight against domestic violence. To assist the HR department in implementing this workplace initiative, there is an urgent need to set up Employer Assistance Programs (EAP) at the workplace. However, there is also an urgent need to institutionalise work-family life balance policies, to adopt legislation to cater for violence at the workplace and to amend the Protection of Domestic Violence Act of 2011.

1. Introduction

Domestic violence is a pattern of abusive behavior whereby one person maintains power and control over an intimate partner or an ex-partner. This abusive behaviour can be observed in both dating and long-term relationships and it is not just a private family matter. Several studies have evaluated the impact of domestic violence on the workplace. Employers must be responsive and proactive to provide assistance to both survivors and perpetrators. Workplace prevention policies and strategies that would sensitise and provide support to survivors of domestic violence have been set up in several countries. In Mauritius the prevention of domestic violence at the level of the workplace has been addressed through the Victim Empowerment and Abuser Rehabilitation Policy (VEARP) framework adopted in 2010 and the implementation officialised in 2013. This paper aims firstly to locate the VEARP in the international fight of violence against women. Secondly, the extent and cost of domestic violence in the Mauritian society will be examined. Thirdly, the rationale for a Victim Empowerment and Abuser Rehabilitation Policy will be discussed. Lastly some issues on the implementation of the VEARP at the workplace will be analysed.

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2. The concern on violence against women at international level

The fourth world conference on Women (1995) recognised that violence against women has a large public health impact, in addition to being a gross violation of women's human rights. At the 57th session of the Commission on the Status of Women (2013) the importance of addressing both structural underlying causes and the risk factors in order to prevent violence against women and girls has been emphasized. The strengthening of multisectoral services, programmes and responses for survivors as well as perpetrators is increasingly advocated. Research highlights the need to address the economic and sociocultural factors that foster a culture of violence against women. General Recommendation 19 to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1992, reaffirms that Violence against Women (VAW) is a form of discrimination that impedes women's realization of full equality. States are required to carry out the "three P's" – *prevention* of violence against women, *protection* of victims and *prosecution* of perpetrators of violence against women.

 "Gender-based violence (GBV) is the general term used to capture violence that occurs as a result of the normative role expectations associated with each gender, along with the unequal power relationships between the two genders, within the context of a specific society" (Bloom 2008). Although GBV against man does exist, it has been widely acknowledged that the majority of persons affected by gender-based violence are women and girls. For this reason the term "Gender-Based Violence" is often used interchangeably with the term "Violence against Women" (VAW). General Recommendation No. 19 on VAW (GR 19) adopted by the CEDAW Committee in 1992 defines GBV as "acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty." The United Nations Declaration on the Elimination of Violence against Women defines violence against women as physical, sexual, and/or psychological violence within the family, the community, and/or any violence that is condoned by the state. (U.N.1993, Article 2). This definition classifies three primary forms of VAW based on **where** the acts occur and the **relationship between victim and perpetrator**: (1) violence in the family; (2) violence in the community; and (3) violence perpetrated or condoned by the State. Intimate-partner violence or spousal abuse, domestic violence and marital rape are likely to occur in the family. Stalking, sexual assault, sexual harassment in organisations/over the internet, rape, the exploitation of women through human trafficking can be identified in the community setting. The State as a perpetrator of violence includes the acceptance of female genital mutilation, use of rape during war or the non-recognition of marital rape as a criminal offence. The magnitude and extent of GBV can be apprended by adopting the lifecycle approach whereby the cummulative impact of violence experienced by girls and women, especially in terms of its physical and mental health consequences are identified. The lifecycle approach recognizes the specific kinds of violence suffered by girls and women at each stage of their life, and the immediate and long-term effects. Starting with the aborting of female fetuses, girls and women may encounter numerous oppressions during infancy, childhood, adolescence, adulthood, and as elders. Some of these are confined to one stage in the lifecycle, some continue into subsequent stages. This throws the problem into high relief, thereby making a compelling case for urgent public policy initiatives to address GBV.

According to a World Bank publication, *The Costs of Violence*, (2009) most estimates on the cost to society of GBV have focused on domestic violence. However, the methodology adopted to estimate the cost of domestic violence is not standard. It is very difficult to make any comparisons as the various studies have different starting points, use different types of cost, make different delimitations and so on. UN Women estimates the economic costs of domestic violence considering out-of-pocket expenditures that women incur to access medical treatment, police support, legal support, counseling, and judicial support, and the additional lost school fees if children miss school due to domestic violence experienced by their mothers. Other researchers for instance S. Walby (2009) in her calculation of the cost of domestic violence for England and Wales includes three major types of costs: 1. Services, largely funded by government: Criminal Justice System Health Care Social Services Housing Civil legal 2. Economic output losses, sustained by employers and employees; 3. Human and emotional costs, borne by the individual victim. Both men and women are included in the estimates. Several studies (Envall 2006) distinguish between direct and indirect costs of violence against women. Direct costs are likely to cover the amount that public authorities spend on services and measures linked to preventing and combating violence against women. Indirect costs are those costs that result from the physical and psychological trauma and life-long effects that such violence has on victims. Some of the direct costs include treatment and support for abused women, and bringing perpetrators to trial. The indirect costs include days of work lost (by both the abused and the abuser), as well as the emotional cost in human pain and suffering by the victims, and impacts on other family

members, especially children.What can be retained is that violence against women entails a big loss in all societies and without addressing GBV, health experts and policymakers have little chance of meeting the Millennium Development Goals.

3. Extent and cost of Domestic violence in mauritian society

According to figures on domestic violence published by 'Statistics Mauritius', in 2012, 1,760 cases of domestic violence were reported at the Ministry of Gender Equality, Child Development and Family Welfare and nearly 89.2% of which were against women. Some 31% of women victims of domestic violence reported physical assault by spouse or partner, 18% verbal assault by spouse or partner (ill treatment, harassment, abuse, and humiliation), 16% threatening assault by spouse and 11% harassment by spouse. The figures below contained in 'Statistics in Mauritius: a gender approach' (2013) confirm that women are most likely to be victims of domestic violence.

Domestic violence figures on reported cases in Family Support Bureau by sex											
2007		2008		2009		2010		2011		2012	
M	F	M	F	M	F	M	F	M	F	M	F
227	1721	287	1959	325	2027	263	1952	175	1577	193	1567

Source: Statistics in Mauritius; a gender approach 2013 p70

Estimates provided by the report entitled 'A study of the Extent, Nature and Costs of Domestice Violence to the Mauritian Economy' (2010) reveals that the actual number of individuals subjected to domestic violence is forty-sixtimes higher than the administrative data provided the Ministry of Gender Equality, Child Development and Family Welfare.

Types of domestic violence	Percentage from survey		Estimated number of victims	
	Man	Woman	Man	Woman
Emotional	10.5	11.1	29 847	31 403
Physical	1.9	5.9	5 353	16 536
Sexual	0.2	1.4	653	4 036
Weighted estimates of victims who have experienced domestic violence at least once during the last 12 months.				

Source: A study of the Extent, Nature and Costs of Domestice Violence to the Mauritian Economy (2010) p114.

Given that victims of domestic violence suffer from a range of physical, heath and psychological problems, they lose time from their regular work activities. The estimated total economic output loss due to low productivity stands at around Rs 171 m (6 m USD). To address the issue of domestic violence the Ministry of Gender Equality, Child Development and Family Welfare has launched a **National Platform to End Gender Based Violence (NPEGBV)** in Mauritius to implement a National Action Plan to end GBV (2012-14). One of the principles of the National action plan is the involvement of key sectors (Community Based Organisations and NGOs, police and prison services, healthcare workers, lawyers, family protection officers, social security officers, media specialist, educationalists, trade unions and private sector employers). The integrated approach intends to:
- promote efficiency and adequacy of services;
- enhance service delivery so that women are facilitated at all levels through various organisational networks;
- maximise the expertise and experience of different organisations;
- build the advocacy momentum and the capacity to service providers by increasing the resource base; and
- stimulate a process whereby gender-based violence is addressed within a holistic framework.

4. The rationale for a Victim Empowerment and Abuser Rehabilitation Policy

In line with the integrated approach mentioned above, the Victim Empowerment and Abuser Rehabilitation Policy has been launched in 2013. The VEARP framework (2010) reminds all stakeholders (public sector, private sector and civil society) that given the commitment of the mauritian government to the CEDAW, the Beijing Platform of Action and the SADC Declaration on Gender and Development measures to prevent and deal with violence against women need to be taken. The VEARP initiative aims in a first instance to sensitize employers and employees on violence in general and domestic violence (DV) in particular. Once the VEARP initiative is well established and incorporated in the organisational structures existing at the workplace, all the other forms of violence perpetrated against women will be addresed.

The rationale to address the issue of domestic violence at the workplace is built on the following premises:
(1) In the development of the Decent Work Country Programme (2012) the priorities which emerged from the discussions held with the social partners, namely government, trade unions and employers were as follows: Priority 1 – Creation of Decent and Productive Employment with the provision of adequate Social Protection. Priority 2 refers to the Strengthening Social Dialogue, and Priority 3 – the Elimination of All Forms of Discrimination. Under priority 3, one of the main activities to be organised is the formulation of a high standard training of trainers (TOT) programme on gender so as to create a pool of trainers who would in turn work in collaboration with other stakeholders, including civil society organisations, to further the gender agenda at the national level.

(2) In March 2008, the National Gender Policy Framework (NGPF) was adopted. It calls, inter-alia, for private sector organizations 'to create an enabling environment for making use of the potential and talents of women as well as men and develop human resource strategies that allow for family-friendly policies, even in the context of 24- hour IT- based and outsourcing organizations, for career paths that take into account the time use and life - patterns of women. The absence of specific provisions in current labour legislation to protect workers on shift work or on roster basis or who work during irregular hours, coupled with the introduction of the 24/7 economic model, undermine workers' human rights and can contribute to domestic violence at home.

(3) While formerly the family and kinship networks have traditionally played a major in maintaining and caring for its members, as from year 2000, about 69% of households were living in a nuclear family type. The nuclear family has become the norm and family members have become less dependent on relatives for help and assistance in caring for children and solving conflicts betweeen spouses. Furthermore, the nuclear family has become socially and geographically isolated from wider kin networks. The decline of extended family life, growing secularization, the increasing number of individuals' cohabitating without any legal recognition by the State increases the risk of domestic violence for women.

As discussed earlier, given the cost of domestic violence, the potential benefits to workplaces in implementing human resource policies and other strategies to prevent domestic violence include both direct and indirect economic benefits. At the level of the community, employers who decide to implement the VEARP will show social responsibility. An awareness of domestic violence issues and the implementation of prevention strategies will ensure that employers are promoting a safe work environment which promotes equal opportunity and anti discrimination requirements (Cossack, et al. 2004). In this respect, the role of the human resource managers in developing and implementing strategies that aim to prevent family violence through workplaces becomes very important. However, ensuring that the VEARP brings positive outcomes entails the adoption of a holistic approach which cares for change at all levels that is within the individual, at the workplace and in the community.

The spectrum of prevention is a flexible model, which can guide policy makers to plan the implementation of the VEARP. It is a broad framework that includes seven strategies designed to address complex, significant public health problems. The table below recapitulates the actions which can be taken at different levels to implement the VEARP. It should be emphasised this policy focus more on primary prevention and provides for the extension of service provision at the workplace and reinforces the networking among stakeholders in addressing domestic violence.

Level of Spectrum	Definition of Level	Implemeting the VEARP
1.Strengthening Individual Knowledge and Skills	Enhancing an individual's ability to prevent injury and promote safety	The use of talks, posters, leaflets, videos and websites to sensitise workers
2.Promoting Community Education	Reaching groups of people with information and resources to promote health and safety	Organisation of open days with family members at the workplace
3.Educating Providers	Informing providers who will transmit skills and knowledge to others	Training of human resource managers on how to manage cases of domestic violence
4.Fostering Coalitions and Networks	Bringing together groups and individuals for broader goals and greater impact	More networking activities between ministries, private sector, NGOs and service providers on domestic violence
5.Cross-Sector Collaboration	Working collectively with law enforcement, education, medical, religion, media, social services, and other sectors to advance a common agenda	Memorandum of understanding signed and protocols developed to provide assistance to survivors of domstic violence
6.Changing Organizational Practices	Adopting regulations and shaping norms to improve health and safety	Actions taken to address practices in the organisational culture which might lead to domestic violence
7.Influencing Policy and Legislation	Developing strategies to change laws and policies on local, state, or national levels	Adoption of laws which promote decent work, cater for family-life balance and address violence at the workplace.

Source: Adapted from www.preventioninstitute.org, Contra Costa County Health Services and Transforming Communities Technical Assistance, Training and Resource Center.

5. Some issues on the implementation of the VEARP at the workplace

A review of the international literature reveals three main models of prevention of domestic violence at the workplace: employer led, union based and partnerships models. Employer led models involve incorporating an awareness of domestic violence into existing human resources structures. Human resources personnel and others managers in the organisation are trained to be both aware of and sensitive to issues of domestic violence which may negatively impact on individual staff (Gurchiek 2006). This model is appropriate for organisations which have a well established Human Resource Department as in the implementation of the VEARP it can integrate domestic violence prevention into existing organisational processes which address issues of occupational health and safety, anti discrimination, bullying and harassment at the workplace. Organisations can also undertake philanthropic activities, such as financial contributions or workplace food and clothing drives for a local domestic violence service. Through corporate social responsibility (CSR), the organisation can replicate such initiatives. However, given the voluntary nature of the CSR initiatives, philanthropic activities offer no guarantee of institutionalisation and sustainability of domestic violence prevention.

In some countries, the union movement has a rich tradition and long history of actively engaging with employers to provide for issues such as the elimination of discrimination at the workplace, work/life balance, occupational health and safety and workplace bullying. In such countries, domestic violence prevention can be incorporated into other union supported mechanisms that promote occupational health and safety, and anti discrimination and harassment programmes. The strong advocacy and negotiation ability of unions may facilitate the implementation of the VEARP. However, this model is external to employers and in workplaces where unions are not strong it might be difficult to initiate change in workplaces and make the fight against domestic violence a priority for the workplace.

The partnership model of domestic violence prevention through the workplace is more suited to smaller and medium size workplaces. Although the infrastructure to systematically address the issue of domestic violence through existing management and human resources programmes (Swanberg, Macke& Logan 2007) does not exist, a provider of services to survivors of domestic violence can visit the workplace offering information and referral about domestic violence within the broader national programme to combat domestic violence. The visiting outreach worker may assist the workplace with posters and brochures about domestic violence for display and distribution at the workplace and hold counselling sessiomns either at the workplace itself or arrange for such services in another venue. Workers can be informed of the various programmes run by service providers at local or national level and encouraged to participate. Arrangements can be made with the workplace to enable workers to participate in these programmes. Talks can be organised during lunchtimes to limit any disruption to the workplace and participants are provided with leaflets that they can take away with them and look over in their own time. These talks can be backed up by additional one-to-one information which can be arranged outside of work hours to enable women to have an opportunity to discuss issues privately. This model is most appropriate for the mauritian context as HR departments are well structured in only a small number of big companies and to optimise the services already provided by the MGECDFW.

The implementation of the VEARP at the workplace builds on the lessons learnt by Liz Claiborne's women's programme, that is, in addressing domestic violence through workplace initiatives, the following principles need to be adhered to:
- Make a genuine commitment to the issue
- Get senior level buy-in.
- Acknowledge the contribution of all partners including trade unions and NGO's.
- Enlist assistance of experts in their respective fields of specialisation.

Working sessions with the following stakeholders have been conducted: The State Law Office, the Ministry of Civil Service Affairs, the Ministry of Labour, the Ministry of Gender Equality, Child Development and Family Welfare, the Mauritius Employers' Federation and its affiliates, Trade Unions and NGOs engaged in the fight against domestic violence. A memorandum of understanding regulating the role and expectation of stakeholders involved in the implentation and provision of services to survivors of domestic violence is likely to start the institutionalisation of the VEARP policy at the work place both in the public and the private sector. Some trade unionists and women activists consider that the Protection of Domestic Violence Act of 2011 should be amended to ensure that the workplace implements the VEARP policy through the Human Resource department. However, the MGECDFW is at present encouraging the workplace environment to comply voluntarily and is emphasing the productivity gains which are likely to result to the workplace with employees who do not encounter domestic violence problems.

Another major concern raised by trade unionists is to what extent the HR function at the workplace possesses the tools and resources to implement the VEARP. To address this concern the MGECDFW has devised a training manual and a training of trainers pack to train HR cadres at the workplace. Furthermore, this training manual is expected to standardise the training sessions held at the workplace and will ensure that the same set of instructions concerning (i) the sensitisation programmes to be run, (ii) the information to be dessiminated to workers, (iii) the procedures to ensure the confidentiality and (iv) the follow-up of cases of domestic violence, are implemented in all work settings. However, the absence of policies to ensure work-family life balance in the Mauritian society will negatively impact on the VEARP policy when the needs of the survivor of domestic violence have to be cared for. Similarly, the absence of a policy to deal with violence at the workplace will severely reduce the expected positive outcomes of the VEARP as employees may be victims of some form of violence at the workplace itself.

The consultations held with HR caders in view of implementing the VEARP reveal that the concepts of sex, gender, intimate partner violence, domestic violence, gender based violence, gender equity and gender equality are subject to much confusion. The myths and stereotypes concerning violence against women are strongly anchored in the mind set of both men and women. Following this observation the MGECDFW has produced a tool kit to sensitise officers in both the public and private sector on these concepts and one day workshops have started since 2012. Nevertheless, the outcome of these workshops needs to be evaluated as it is still to be determined the extent to which workers have cleared their stereotypes and prejudices concerning violence against women. More importantly, research has to be carried out to examine whether

workers still consider domestic violence as a private issue and how far they are likely to take advantage of the provisions of the Protection of Domestic Violence Act of 2011.

Given the lack of a culture of research, the absence of decent work programmes, policies to address work-family life balance and measures to address violence at the workplace in the Mauritian society, there is an urgent need to set up Employer Assistance Programs (EAP) at the workplace. EAPs are workplace-based programs that provide services to employers and employees on a wide range of issues (Attridge 2001) that can impact on the employee and the organisational culture. Since domestic violence often require confidential and professional assistance, EAPs have the potential and tools to intervene with individuals, as well as to develop preventative infrastructures in the organisation. In many countries, EAPs already offer domestic and sexual violence counseling and education services. The context bound nature of the EAP allows for tailormade employer's arrangement which may also extend to immediate family members. Proposing a counselling programme by the EAP can include work related, family and personnal issues thereby adressing the scourge of domestic violence through a supported referral mechanism (Buon 2005) run by specialised service providers.This would not entail having a large budget to address domestic violence in the workplace. Services such as providing support to survivors of domestic violence, referring survivors and co-workers to counseling agencies for assistance, promoting an environment that encourage people to come forward with concerns and treating each situation in confidentiality will contribute to reduce domestic violence.

Conclusion

The workplace has an important contribution to make to create a culture of support for survivors of domestic violence. Services and facilities which can be offered includes counselling, sensitisation campaigns, complete confidentiality, safety and security protocols will be implemented and referrals to appropriate community services provided as options to workers. The VEARP provides the framework for the workplace to inform all workers about the consequences of being a perpetrator of domestic violence and the servicers available for both survivors and perpetrators. It is up to the workplace to commit itself to the VEARP policy and communicate clearly through sensitisation campaigns, policies and training to workers on domestic violence. The Mauritain government is providing the required support system to deal with domestic violence. It is up to the workplace to create a culture that both supports victims and encourages perpetrators to seek help. However, there is a dire need to institutionalise work-family life balance policies, to enact legislation to cater for violence at the workplace and to amend the Protection of Domestic Violence Act of 2011 to ensure that the workplace implements the VEARP policy through their Human Resource department or Employees Assistance Programmes.

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