

Law Enforcement Capacity in Combating Gender-Based Violence Crime: A Case of the Kibaha Township

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Abstract: A study focuses on assessing law enforcement capacity in combating Gender-Based Violence crime. Whereby, two Wards were involved as specific case study namely Picha ya Ndege and Tumbi Wards. The general objective was to investigate the capacity of police personnel in combating Gender-Based Violence crime. The study employed descriptive research design to survey the study area, sources of data collection were primary and secondary, and the study employed mixed methods of qualitative and quantitative, whereby, tools for data collection were; Key informant's interview and questionnaire. It has been found that the capacity of Police personnel in combating gender-based violence crime is poor. This finding will contribute to the body of knowledge in policing functions in the country which is a new area of interest by showing the role Law enforcement Agency have in combating gender-based violence. The study recommends that, in order to increase the capacity of Police personnel in combating gender-based violence crime, they should be given all the necessary resources and resilient infrastructures such as offices and equipments that will help them to combat the same.

Key words: Community Policing, Crime, Gender-Based Violence, Police Personnel.

1. INTRODUCTION:

Community policing (CP) is considered a popular contemporary policing approach responding to: the decline in public confidence in police; and growing evidence that police forces could not fight crime by themselves. What is commonly understood to be CP is not an entirely new concept. To that end, CP can be traced back to the introduction of community constables, known as 'bobbies' [1]. However, CP refers to bringing police and citizens together to prevent crime and solve problems by using local techniques, emphasizing the prevention of crime rather than the traditional policing method of responding to crime after it has happened [2].

As pointed out community policing has spread internationally almost as a creed of enlightened police thinking and policy since originating in Britain and the USA in the 1970s. It is argued that CP had become a growth industry remains true today. Besides western countries, non western countries such as Singapore have also adopted the model [3].

According to the URT, the implementation of CP in the country started in 2006 by appointing CP officers-Rank and Files Officers, who covered all Wards and "Shehia" in Tanzania mainland and Zanzibar respectively as decentralized 'mini chiefs' in permanent locations, where they enjoy the freedom and autonomy to operate as community-based problem solvers [2]. Additionally, the inspectorate program in 2011, involved the deployment of inspectors in the provinces in Tanzania mainland and Zanzibar to cooperate in partnership with the community to solving local crime by using local solutions. The general idea was to make police service delivery close to the community they serve. In 2012 the Commission of Community Policing and Gender service was established headed by the Commissioner of Police who is the main coordinator of community policing implementation arrangement countrywide [4].

Gender-Based Violence (GBV) is a crime until when an act causes harm such as from physical abuse, rape, and/or domestic violence cause death or bodily injuries. Its definition defers from one community to another depending on how one society attributes meaning to GBV acts. Traditional gender norms that support male superiority and entitlement are some of the cultural practices that encourage tolerance to GBV which restrain survivors from reporting and seeking help from the police force [5].

In 2007 Tanzania Police Force (TPF) after recognizing its role of intervention to GBV crimes established gender and children desks at police stations in addressing GBV issues and handling survivors and eventually combating it. The Police Gender and Children Desk are highly dependent on the work done by CP officers as field officers on how to quickly respond to GBV crimes. The idea is that each individual has to play his/her part in combating GBV crime. In order to ensure effectiveness of the same, the Tanzania Police Female Network (TPF-NET) was established in 2008 to act in collaborations with GBV stakeholders such as Tanzania Gender Network Program (TGNP) to disseminate information to both TPF and the general public about GBV [2].

The establishment of the Police Gender and Children Desk in Urban-West Region- Zanzibar has recorded a drastic increase in acts of gender-based violence in the past two years. There have been increases of reported cases from an average of one to more than 10 per week, about 850 cases of abuse in January, 2011 to June, 2012 [6]. Therefore, the major concern of this study was to investigate the capacity of Police personnel in combating GBV crime in the selected study area.

2. LITERATURE REVIEW:

2.1 Empirical Review

Community policing is the most widely cited explanation for the decline in index crime rates over the last decade [7]. The police forces of Africa's ex-British colonies have their roots in the colonial forces, created with a mandate dominated by the need to stifle dissent and maintain colonial rule. Following independence, with the passing of legislation establishing the new forces and the first indigenous police chiefs [8]. The legal enforcement and justice sectors play a key role in preventing sexual and gender based violence. At the highest level, national policy and legislative framework influence institutional perceptions of and responses to sexual violence. Adherence to international conventions and resolutions on human rights both symbolize and enable government commitment to preventing violence [9]. The author is of the opinion that at the lower levels the individual responses of police or health personnel can exacerbate or ameliorate the negative impact of a coercive experience.

This push some authors to suggests that justice sector reform can contribute to a reduction in gender-based violence by sanctioning the perpetrators of crimes and sending a clear message to the population that such actions will not be tolerated; by increasing awareness throughout society that physical and sexual violence are criminal acts; by increasing access to the legal system; and by improving institutional responses to the survivors of violence [10].

A study in Malawi found that only 4% of women sought help from the police, and most received a service that differed significantly from protocol. Furthermore, it was found that only 43% of the women who reported to the police were informed of their right to a medical examination [11]. Research in Zambia and South Africa showed that the overwhelming majority of survivors presenting to the police were children, presumably due to social perceptions of child sexual abuse as an unequivocal crime, as opposed to more ambiguous attitudes towards adult sexual violence [12] [13]. Conversely, survivors who initially seek help from health facilities, and who wish to seek legal justice, may not be assisted to report the abuse to the police. Improved linkages between health and police systems may have unanticipated – and not wholly positive – consequences. The WHO observes that such linkages can create a barrier to access to medico-legal services due to survivors' concerns about involving police and the potential consequences to themselves, or occasionally to their assailant [9].

Formal referral linkages between police and health facilities are rare in the existing literature. Where links exist, they tend to be informal relationships with no or unclear protocols for referrals. There is evident need for clear guidelines on the mechanics of referrals, including advice on the timeframe, referral companions and the requisite skills of involved personnel. Many survivors cannot access the justice system unless they first obtain information about their rights, about how to report cases to the police and/or how to find legal aid services. Consequently, non-governmental organizations worldwide have integrated basic referral services and legal services into community-based health programs, social services, and economic development programs. Increasing women's access to social services aids police and courts to enforce laws [10]. In South Africa, the availability of community services to assist women and children with emergency shelter, long-term housing and economic enabled police to enforce orders of protection, prosecuting cases, and imposing jail sentences [9].

In Rwanda, women do not know their rights and are therefore unable to institute legal proceedings as they are also loath to expose their family secrets; compared to men, they have a more limited access to the economic resources that would enable them to demand justice in cases of sexual violence. Moreover, the police, health and legal services do not provide the appropriate atmosphere for them to report this dimension of spousal abuse. In order to fight against this scourge, capacity building in terms of prevention and eradication of gender-based violence in all the sections of the social, medical, legal and police departments must be emphasized, as they are all involved either directly or indirectly with the women who become victims of gender-based violence [14].

In general, police receive only general training for dealing with survivors of violence, not training related specifically to GBV. This means that women's experiences in seeking help from police vary. Women who report to police stations to obtain PF3 forms are likely to be questioned to the point of harassment. Female focus group participants also report corruption in the police system, including taking bribes from perpetrators to ignore GBV reports or requiring women to pay police to file the form. According to key informants, the number of female police officers is increasing and attempts are made for female officers to attend to rape survivors. However, this is not always possible. There are confidential spaces in police stations that can be used for attending to GBV survivors, but again, there is no protocol to ensure that survivors have access to these spaces. Police records are also kept confidential, with disciplinary actions taken against officers who breach confidentiality. Police record "crimes against morality," but these data are not disaggregated in order to identify cases that are GBV-related [15].

A survey study concluded that Public perception of the TPF is not positive and CP remains compromised by a lack of trust of the police, but senior officers have suggested they are aware of these problems. The public sees extreme delays in investigations and an inappropriate attitude towards gender and sexual violence that are treated as a family affair, and for which there are no special facilities [8]. Some scholar argued that this is why until very recently GBV was considered as a cultural or moral issue and not even as a public health or police issue. Consequently, medical personnel did not feel obliged to report or address incidents of GBV coming before them, regardless of the fact that a crime had been committed. Even at police stations they found it difficult to apply the law in these types of crimes [16].

2.2 Theoretical Review

2.2.1 Broken Windows Theory

“Broken Windows” is a phrase coined by political scientist James Q. Wilson and Police scholar George Kelling. It asserts that unaddressed signs of minor disorder can cause more serious crime in the areas. The idea has significantly influenced American policing over the past several decades, leading police to address lower-level disorder problems more than they previously have [17].



Figure 1: Unfixed Broken Window
Source: Adopted in Sousa & Kelling, (2006)

The notion of broken windows has provided important insights and innovation to the field of policing. Broken windows is based on the notion that signs of incivility, like broken windows, signify that nobody cares, which leads to greater fear of crime and a reduction of community efficacy, which in turn can lead to more serious crimes and greater signs of incivility, repeating the cycle into a potential spiral of decay. For police, the insight of broken windows is that they are called on to address minor quality-of-life offenses and incidents of social disorder to prevent more serious crime, and that they must take specific steps to increase the capacity of communities to exert informal social control. In fact, broken windows advocate for the careful implementation of specific police tactics so that individual rights and community interests are respected. In addition, broken windows stresses the importance of including communities in the change process with the primary goal being the development of informal social control mechanisms within the communities in question and not merely increased enforcement of minor offenses [18].

Generally speaking, CP requires that, in policing functions each member of the society has a role to play. The current study tried to find out the capacity of law enforcement in combating GBV crime in the contexts of Tanzania with a more focus at Kibaha town. The study also finds broken window theory to be useful because it seeks to find out the level of response of police personnel in combating GBV related crimes.

3. MATERIALS AND METHODS:

3.1 Study Area

Kibaha District is one of the 6 districts of the Pwani Region, Tanzania. The district is bordered to the North by the Bagamoyo District, to the East by Dar-es-Salaam, to the South by the Kisarawe District and to the West by the Morogoro Region. Kibaha district covers an area of about 1,812 total Sq. Kms. The district has 3 Division, 13

Wards, 53 Mitaa and 25 Villages. According to the 2002 Tanzania National Census, the population of the Kibaha District was 132,045 [19]. Specifically, the study was conducted in two selected Wards of Picha ya Ndege and Tumbi. Prevalent of violence against women and men in the respective areas was a major reason for selecting the study areas. Logistic support was also another reason for selecting the named Wards.



Figure 2: Map Showing Study Area

3.2 Data Sources and Collection

The study was conducted from February to May, 2013. The sources of data used were primary and secondary data. The sample population covered 80 respondents of which the following were involved; Police officers, Security stakeholders, NGO's, Religious leaders, Politicians, Mtaa Executive Officers, Social Welfare Officers to mention just a few. The main tools of data collection were field research survey using interview, focus group discussion and questionnaires.

3.3 Data Processing and Analysis

The study used qualitative and quantitative research method of data analysis. Then data was coded by assigning code numbers to questionnaires. Researchers edited all the questionnaires received from the field by checking the correctness and filling in the respective codes. On completion of data entry, the data was cleaned before starting data entry in the computer software. The raw data were then analysed through the aid of Computer software- Microsoft Excel and Statistical Packages for Social Scientist (SPSS) IBM version 20 and interpretation was done through table.

4. RESULTS AND DISCUSSION:

The term capacity means someone's ability to do something or specific ability of an entity (person or organisation) or resource, measured in quantity and level of quality, over an extended period [20]. Therefore, capacity of law enforcement in this study means that ability to combat and solve GBV crime as the key agency of crime prevention in the country. Table 1 Show the perceived views of the respondents on the level of the law enforcement capacity in combating GBV crime.

Table 1: THE CAPACITY OF LAW ENFORCEMENT IN COMBATING GBV CRIME

Level	Wards		Total	Percent
	Picha ya Ndege	Tumbi		
Very Poor	5	2	7	10.4
Poor	14	13	27	40.3
Satisfactory	4	13	17	25.4
Good	10	4	14	20.9
Very Good	2	0	2	3
Total	35	32	67	100

Source: Field Survey, 2013

Respondents were asked to level the capacity of police personnel in combating GBV and the response is in Table 3.1 The data shows that on average about (n=34) equal to 50.7 percent viewed the capacity of police personnel in combating GBV to be poor, about (n=17) equal to 25.4 percent to be satisfactory and the last (n=18) equal to 23.9 percent viewed to be good. In the interview the same question was asked, about 8 respondents out of 18 said the capacity of police is good, 6 respondents said satisfactory, and 4 respondents said it to be poor. These data suggest that about half of the surveyed respondent perceived police personnel capacity to be poor.

The observation from the field indicated that many of focal point police officers appointed to be gender desk are not intensively trained in gender issues and for those who attended short training/seminars tends to be transferred here and there and this led the force to be seen as not effective in combating GBV. This trend is also happening to Ward CP police officer who are deployed on permanent basis tend to experiences this frequent transfers. Another observation was at Kibaha police station where lack of infrastructures and lack of specious room to accommodate two to three customers at once were seen as practical problems. Their alternative way is to stay outside where they find comfortable for them to attend clients.

A study in Mongolia revealed that the majority of the police respondents said that a lack of manpower, a lack of equipment and a lack of public support were the most pressing problems facing the police department. Public support, from prior survey questions, can seemingly be improved and strengthened. By contrast, the largest fractions of citizens believe that training is the single largest problem facing the police [21]. Resource problems may in one way or another hinders day-to-day police duties such as crime prevention and specifically GBV crimes. This may results in the disturbing the social wellbeing of community members to be protected by their government- Police agency. As an interviewed respondent had this to say:

“The capacity of police personnel is poor because sometimes you may find that even the police themselves do involve in gender violations”.

A Female Entrepreneur aged 50

However, in the same study respondents were also asked how effective do they think the police are in preventing crime and the findings revealed that, more than half of those surveyed saying the police were “not so effective”. Furthermore, 18 percent believed the police were “effective”. Also were asked about the capacity of police in preventing crime, majority of respondents said the police have no capacity to prevent and resolve crime, and community members have lesser faith that police can prevent and resolve crime, they are generally less capable [21]. In this study one respondent responded that:

“Police capacity’s in combating GBV is poor because when the issue is still hot it is well taken care of by the police, but when it become cool then no one bother to make follow-ups and the case disappear to the unknown, I don’t know why?”.

Ward Councillor, Male aged 31

According to policing experts effective policing requires the approval of the community on ability of police personnel in combating crimes, the number and type of problems solved and the creativity and scope of the solutions will provide a way to measure CP effectiveness [22]. In order to improve the quality of policing, Peel established his renowned (nine police) principles as a foundation of modern policing and essentials of CP [23];

“To recognize always that the power of the police to fulfill their functions and duties is dependent on public approval of their experience, actions, and behavior and on their capacity to secure and maintain public respect”

Robert Peel’s Statement

In the observation of the author the issue of concern here is that the Tanzanian government should realise that GBV is a global agenda and cross-cutting issue, therefore, priority should be directed into this area by initially increase police budget so that they build modern offices and other infrastructures, train police personnel in gender related affairs, transport, forensic investigations to mention just a few. After that there should be a permanent deployment of police gender desk officers at police stations, and the issue of frequent transfers should strictly be discouraged by the police administration so as to ensure efficiency and effectiveness in combating GBV crime.

Most gender desks at police stations in Nairobi Province are not functional partly due to lack of budgetary allocation resulting to poor infrastructure, logistics and operations rendering them inefficient and ineffective. The police stations are overwhelmed by crimes, and other related cases due to shortage of staff resulting to delays and incompetence [24]. From the experience of the author in the policing field, the same deficit is well evident in TPF practices; therefore, the current study recommends that, in order to increase the capacity and ability of TPF in combating crimes and most notably GBV, the central government should provide all the necessary resources to TPF that will soften their working in efficiently and effectively.

5. CONCLUSION AND RECOMMENDATION:

5.1 Conclusion

Community Policing refers to bringing police and citizens together to prevent crime and solve problems by using local techniques, emphasizing the prevention of crime rather than the traditional policing method of responding to crime after it has happened [2]. Gender-Based Violence (GBV) is a relatively new topic of public discussion and intervention in Tanzania. However, it is work that is increasingly possible, given the increasing recognition of GBV and support to address the issue in Tanzania [15]. GBV is a crime until any act that causes harm such as from physical abuse, rape, and/or domestic violence cause death or bodily injuries. Its definition defers from one community to another depending on how one society attributes meaning to GBV acts. Traditional gender norms that support male superiority

and entitlement some cultural practices that encourage tolerance to GBV restrain survivors from reporting and seeking help [5].

The findings indicates that on average about 50.7 percent viewed the capacity of police personnel in combating GBV to be poor, about 25.4 percent to be satisfactory and the last 23.9 viewed to be good. In the interview about 8 respondents out of 18 said the capacity of police is good, 6 respondents said satisfactory, and 4 respondents said it to be poor. These data suggest that more than half of the surveyed respondents perceived police personnel's capacity to be poor.

5.2 Recommendations

The study recommend that, in order to increase the capacity of Police personnel in combating GBV crime, they should be given all the necessary resources and resilient infrastructures such as offices and equipments that will help them to combat the same. For example, personnel to be imparted intensive gender related training as speciality area of their day-to-day practices for those who are permanently deployed as gender and children desk officers. Also police administration should shun unnecessary recurrent transfers of the deployed desk officers.

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REFERENCES:

1. Coquilhat, J. (2008). *Community Policing: An International Literature Review*. Wellington, New Zealand Police, pp 17-18
2. The United Republic of Tanzania, (2011). *Police Annual Report*, DSM, pp 4, 77
3. Lau, R.W.K. (2004). Community policing in Hong Kong: Transplanting a questionable model, *Criminal Justice*, SAGE Publications London, Thousand Oaks and New Delhi. Vol: 4(1): 61–80, DOI: 10.1177/1466802504042223
4. Musuguri, J.N. (2016): Community Policing in Tanzania: Capacity of Community Members in Combating Gender-Based Violence Crime, *International Journal of Science and Research, Volume 5 Issue 8*, pp. 1305-1308
5. Ministry of Health and Social Welfare, (2011). National Policy Guideline for the Health Sector Prevention of and Response to Gender-Based Violence (GBV), DSM, pp 8
6. Yusuf, I. (2012). Police Record increase cases of GBV, Daily News Paper DSM. March 14, 2012 No. 10778, pp 6
7. Beckman, K. A. (2006). Community Policing & Changing Crime Rates: Does What Police do Matter? Thesis Submitted to the Faculty of the Graduate School of the University of Maryland, College Park in Partial Fulfillment of Requirements of the degree of Master of Arts, pp. 17
8. Robins, S. (2009). Addressing the Challenges of Law enforcement in Africa Policing in Sierra Leone, Tanzania and Zambia, Pretoria, SA, pp. 1-5
9. Population Council, (2008). *Sexual and Gender-Based Violence in Africa*, USA: New York, pp. 25-29
10. Bott, S., Morrison A. and Ellsberg, M. (2005). "Preventing and responding to Gender-based Violence in Middle and low-income countries: a Global review and analysis," World Bank Policy research Working Paper 3618. Washington, Dc: World Bank.
11. Pelsler, E., Gondwe L., Mayamba C., Mhango T., Phiri W., and Burton, P. (2005). Intimate Partner Violence: Results from a National Gender-Based Violence Study in Malawi, Crime & Justice Statistical Division, National Statistical Office, Pretoria, South Africa: Institute for Security Studies.
12. Keesbury, J., Skibiak, J. & Zama, M. (2006). *Reducing unwanted pregnancy among victims of sexual assault: New windows of opportunity for Emergency Contraception*. Draft paper: Population Council.
13. RADAR, (2006). *Developing an integrated model for post-rape care and HIV post-exposure prophylaxis in rural South Africa*, Population Council Frontiers in Reproductive Health Program: Program Report 5. RADAR & Population Council
14. UNIFEM, (2008). Baseline Survey on Sexual and Gender-Based Violence in Rwanda, Rwanda. Kigali. pp 15-71.

15. USAID, (2008). Gender-Based Violence in Tanzania: An Assessment of policies, Services, and promising interventions, Tanzania: DSM, pp. 7-55
16. Maoulidi, S. (2013). *Response Challenges that enable GBV to Thrive*: Woman Magazine, April 4-10, 2013 No. 222, pp. 4
17. Plant, J. B. & Scott, M. S. (2008). *Effective Policing & Crime Prevention: A Problem-Oriented Guide for Mayors, City Managers, & County Executives*, The US Department of Justice, Center for Problem-Oriented Policing, Inc., pp.35-36
18. Sousa, W. H & Kelling, G.L., (2006). *Of Broken Windows: Criminology and Criminal Justice*, In: D. Weisburd & A.A. Braga (Eds.) *Police Innovation*: Cambridge University Press, pp. 77-97
19. The United Republic of Tanzania (URT), (2013). *2012 Population and Housing Census*, Population Distribution by Administrative Areas- Office of Chief Government Statistician President's Office, Finance, Economy and Development Planning, Zanzibar National Bureau of Statistics Ministry of Finance, Dar es Salaam
20. Longman Dictionary, (2010). *Active Study Dictionary for Intermediate-Upper-Intermediate Learners*, 5th Edition, Pearson Education Limited, England, pp 125
21. The Asia Foundation, (2008). *Mongolia Survey: Community-Oriented policing in Mongolia Ulaanbaatar*, Mongolia, pp 8, 41
22. Trojanowicz, R.C. (1983): Evaluation of Neighbourhood Foot Patrol Program, *Journal of Police Science and Administration*, Vol. 11, No. 4, pp. 410-419
23. Stevens, D.S. (2003). *Applied Community Policing in the 21st Century*, Boston: A & B Publishing
24. Ombwori, F. (2009). *Status of Gender Desks at Police stations in Kenya*: Institute of Economic Affairs, Nairobi-Kenya, pp 47

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