

Human Rights Practice: Gender-Sensitive Law Enforcement

Office of the United Nations High Commissioner for Human Rights
Professional Training Series No. 5/Add.3
Human Rights Standards and Practice for the Police,
Expanded Pocket Book on Human Rights for the Police
New York and Geneva, 2004

Human Rights Standards

Women are entitled to the equal enjoyment and protection of all human rights in the political, economic, social, cultural, civic and other domains. These rights include, inter alia, the right to life, equality, liberty and security of the person; equal protection under the law; freedom from discrimination; the highest attainable standard of mental and physical health; just and favorable conditions of work; and freedom from torture and other cruel, inhumane or degrading treatment or punishment.

Violence against women may be physical, sexual or psychological, and includes battering, sexual abuse, dowry violence, marital rape, harmful traditional practices, non-spousal rape and violence, sexual harassment, forced prostitution, trafficking in women, and exploitation-related violence. Violence against women, in all its forms, violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms.

The police shall exercise due diligence to prevent, investigate and make arrests for all acts of violence against women, whether perpetrated by public officials

or private persons, in the home, in the community, or in official institutions. Violence against women is a crime and must be treated as such, including when it occurs within the family.

The police shall take rigorous official action to prevent the victimization of women, and shall ensure that revictimization does not occur as a result of police omissions or gender-insensitive enforcement practices.

Arrested or detained women shall not suffer discrimination and shall be protected from all forms of violence or exploitation. Women detainees shall be supervised and searched by female officers and staff. Women shall be detained separately from male detainees. Pregnant women and nursing mothers shall be provided with special facilities in detention.

Law enforcement agencies shall not discriminate against women in recruitment, hiring, training, assignment, promotion, salary, or other career and administrative matters. Law enforcement agencies shall recruit sufficient numbers of women to ensure fair community representation and the protection of the rights of female suspects, arrestees and detainees.

Human Rights Practice

All police officials shall:

- Treat domestic violence crimes as legally equivalent to other assaults;
- Respond promptly to domestic violence and sexual violence calls; inform victims of available medical, social, psychological and material support; and provide transportation to a safe place;
- Investigate domestic violence thoroughly and professionally interviewing victims, witnesses, neighbors and medical professionals;
- Prepare detailed reports of domestic violence incidents and follow-up carefully, both with superiors and with victims; check reports against previous incidents in the files, and take all necessary action to prevent reoccurrence;
- After medical, administrative and other procedures have been completed, offer to accompany a victim of domestic violence to her home to move her personal effects to a safe place;
- Enroll in training to develop their skills in aiding and protecting victims of domestic violence;
- Cooperate closely with medical professionals and social agencies in handling cases of domestic violence;
- Ensure that a female officer is present during all contact with women offenders, and with women victims of crime, deferring cases to female colleagues, where possible;
- Separate female from male detainees ensuring that female officers supervise and search female detainees;
- Abstain from, and discourage, gender-insensitive conversations and jokes with male colleagues; and
- Ask female colleagues for their feelings and perceptions on any policies, practices, behavior or attitudes

which are gender-specific initiate improvements yourself, and support them in their efforts to do so.

Command and supervisory officials shall:

- Issue and enforce clear orders on prompt and effective responses to domestic violence calls and on the legal equivalence of domestic violence to other forms of assault;
- Provide regular training to officials on addressing violence against women;
- Establish a special police unit for domestic violence calls, and consider assigning social workers to serve in such units with police;
- Establish close liaison and joint strategies with medical professionals, social agencies, local "safe houses", and relevant community organizations;
- Assign female officers to deal with female victims of crime;
- Review recruitment, hiring, training and promotion policies to remove any gender bias;
- Assign female officers to carry out all searches and supervision of female detainees, and separate female from male detainees;
- Provide for special detention facilities for pregnant women and nursing mothers;
- Adopt policies prohibiting discrimination against officers on the basis of pregnancy or maternity;
- Establish open channels of communication for complaints or recommendations by female officers on issues of gender bias; and
- Increase patrols and preventive action in high-crime areas, including foot patrols and community involvement in crime prevention, to reduce the risk of violent crimes against women.

