

Trinidad and Tobago Country Report



UNITED NATIONS JOINT PROGRAM ON ESSENTIAL SERVICES FOR WOMEN AND GIRLS SUBJECT TO VIOLENCE

This document has been prepared with information from the Country Report of the Third Evaluation Round of the Monitoring Mechanism of the Belém do Pará Convention to Prevent, Punish and Eradicate Violence against Women (MESECVI), the Country Report of the UNDP and UN Women publication From commitment to action: Policies to eradicate violence against women in Latin America and the Caribbean. and information provided by the Office of the United Nations Population Fund in Trinidad and Tobago.

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1. Legislation

By mandate of the Constitution of Trinidad and Tobago (1976) the Trinidadian State has a duty to protect the human rights of all persons within the country and such duty extends to the obligation of the State to protect women from domestic violence, of gender and sexual violence. A series of legal instruments that regulate various expressions of domestic and gender-based violence have been sanctioned, although the scope and definitions of violence adopted are partially consistent with the regional and international commitments that the country has adhered to and ratified.

The protection of human rights against the exercise of violence is established in the **Domestic Violence Act (1999)** and its amendment (2006), by section 53 of the Police Complaints Authority Act that define domestic violence as "those acts committed by a person against his spouse, children and any other person who is a member of the family or who depends on it (...)." The norm regulates physical, and psychological violence (including psychological or emotional abuse), and sexual and financial, and forces police officers to provide care in domestic violence (including sexual violence) and to complete a domestic violence report for the **National Registry of Domestic Violence**.

The Sexual Offenses Act (2006) criminalizes sexual violence, rape, rape within marriage, de facto unions and forced prostitution (defined as "a person who helps prostitution"). The Sexual Offenses Act of 2015 refers to rape, sexual abuse, sexual violence within the nuclear or extended family, regulating a wide range of sexual behaviors against girls and boys under 18, both inside and outside the nuclear or extended family.

The Law of Infractions (2006) (Summary Offenses Act) regulates any type of attack or aggression and the Offenses Against the Person Act (2005) (Offences Against the Person Act) regulates any violent act that endangers life or causes Physical and sexual damage. The Legal Advice and Counseling Act (2006) (2006) (Legal Aid and Advice Act) establishes the obligation of the State to channel the requests made by victims / survivors to access legal assistance on domestic and sexual violence.

There are no express provisions in its legislation on diversity, such as ethnic origin, sexual identity and orientation, migrants, etc.

The Trafficking in Persons Law of 2011 regulates the crime of trafficking of girls, adolescents, adult and elderly women.

The International Criminal Court Act of 2006 addresses sexual violence in armed conflicts, as a form of torture, a war crime and / or a crime against humanity.

Currently, there is no legislation in Trinidad and Tobago that deals specifically with sexual harassment. However, complaints of sexual harassment can be filed under article 3 (a) of the **Equal Opportunities Act of 2000**. The Ministry of Labor and Small Business Development recently consulted on the development of the Terms and Conditions Basic Labor Code / Legislation in an attempt to provide a minimum of rights for all workers. Work spaces free of sexual harassment are being considered as part of the minimum rights of workers. There are a number of collective agreements registered in the Industrial Court that contain express provisions regarding sexual harassment in the workplace.

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The offences against a person act speaks to harassment:
<http://www.ttparliament.org/legislations/a2005-11.pdf>

There is no crime of femicide in the legislation. The Law of Crimes Against the Person punishes murders that may arise from a domestic or community relationship.

The Children Act of 2012 covers sexual violence in general against girls and boys under 18 years of age. In some cases, higher penalties are imposed for sexual violence committed by people "in positions of trust", which includes civil servants from the health, education and social services sectors.

At present, there is no legislation that explicitly prohibits the use of methods such as **conciliation, mediation, commutation of sentences** and others aimed at solving cases of violence extrajudicially. Nor legislation enacted on criminal and / or administrative sanctions for public officials that do not comply with the competences of attention to women and girls who suffer violence.

The Law on crimes against the person prohibits abortion. However, the common law modifies these provisions by allowing the interruption of a pregnancy if necessary, to save the life of the mother, or for health reasons (other than pregnancy) that threaten the life of the mother. The interruption of pregnancy can be performed once you can get 2 doctors who will say that continuing the birth will disrupt the women's mental or physical health¹.

In 2014, the pregnancy rate among girls aged 10 to 19 was 21.23. The total number of pregnancies of girls between 13 and 16 years for the period 2011-2015 was 2,645. The total number of women and girls between 10 and 19 years of age who attended prenatal care in 2015 was 1666. For the same year, the number of legal abortions of adolescents between 15 and 19 years was 22. The total number of abortions in adolescents of the 2011-2015 period is 743 (between 13 and 16, 67, between 17 and 19, 676). This information is derived from hospital records and indicates abortions that occurred under circumstances dictated by law.

¹ https://rgd.legalaffairs.gov.tt/laws2/Alphabetical_List/lawspdfs/11.08.pdf

<https://cursos.campusvirtualsp.org/.../Situational%20Analysis%20of%20Unsafe%20Ab..>.. SALE ERROR

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Recomendations about legislation

1. Harmonize existing legislation with the Belém do Pará Convention and international and regional human rights law by incorporating into the national legal framework all forms of violence against women in their diversity; the regulation of femicide; the inclusion of obstetric violence; and the development of specific legislation on sexual harassment.
2. Legalize the interruption of pregnancies due to rape and sexual violence, as well as guarantee access to this service for all women and girls who require it.
3. Explicitly prohibit the use of conciliation, mediation or other methods to resolve cases of violence against women and girls extrajudicially.

2. National Plan

One of the results of the project Strengthening State Responsibility and Community Action to End Gender Violence, of the Government of Trinidad and Tobago in collaboration with UN Women, is to establish a National **Plan of Action to eradicate Gender Violence**.

On the other hand, the Office of the Prime Minister (Gender and Children's Affairs) collaborates with the Commonwealth Secretariat to strengthen the implementation of the Commonwealth **Action Plan on Gender Equality**. Also, in collaboration with the Commonwealth Secretariat, the Budget tool with a gender perspective has been finalized and the Office of the Prime Minister (Gender and Children's Affairs) is currently collaborating with the Ministry of Finance to implement it. For the time being, information on the budget allocated to specific initiatives to eliminate violence against women and girls is not available, the general budget for the period 2015-2016 was \$ 10,000,000. Civil society organizations are not involved in budget oversight and budget execution initiatives.

The National Policy on Gender and Development Project, pending approval by the government, specifically addresses gender-based violence, HIV / AIDS, public safety and crime prevention. It does not establish provisions for women of sexual diversity, migrants, refugees, displaced persons or prisoners.

The Division of Gender Affairs has initiated a process of mainstreaming the problem of gender violence in the curricula of the primary and secondary levels in a manner articulated with the Ministry of Education.

In terms of capacity development of the civil service, the Division of Gender Affairs provides **training to teachers and social workers in the field of education and strengthening of Support Services for Schoolchildren** (School Child Support Services). In June 2016, the Gender Affairs Division conducted a gender training for 26 directors and managers of five ministries. Similar training will be held soon for the permanent secretaries.

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On the other hand, more than **one hundred civil society organizations** in the country work in coordination with the institutions through training and awareness actions on domestic violence and health aimed at public officials, technical teams and the community in general promoting participatory and research activities and providing support services for victims / survivors of domestic violence and in cases of rape.

Regarding the awareness axis, the Office of the Prime Minister (Gender and Children's Affairs) has regular commemorative activities for the United Nations **International Day for the Elimination of Violence against Women** and its 16 days of activism (November 25 at December 10), International Women's Day (March 8), World AIDS Day (December 1) and Human Rights Day (December 10), aimed at primary and secondary school children. This office is also responsible for maintaining the Break the Silence campaign, which focuses on the eradication of child sexual abuse and incest.

Recommendations about the National Plan

1. Continue with the synergies between civil society organizations and the State for the provision of services for domestic and sexual violence.

3. Recommendations addressed to all sectors (police-judicial, health, social services) that provide essential services

1. Guarantee that civil servants from different sectors receive training and awareness about the different forms of violence against women, legislation and international obligations in this regard. And ensure that such training is consistent, regular and sustained.

2. Ensure that all women and girls who have been victims of violence have access to specialized services, in particular to legal assistance services for all forms of violence against women.

3. Ensure that public institutions and policies have sufficient resources to meet their objectives.

4. Police and Judicial Services

SERVICES	ESPECIALIZED SERVICE ON VAW		Description of the service (include profile and coverage of professionals who attend VCMN at the national level)	Acting Instruments.
	YES	No		

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<p>POLICE: Women's Commissioners, Police Service to women and children victims of violence etc.</p>		<p>Support units for victims of domestic violence and sexual violence of the Trinidad and Tobago Police Service. They have professional staff in psychology and sociology to provide support to victims of domestic violence, sexual crimes and crimes of a highly sensitive and personal nature.</p> <p>Immediate Care Centers (Drop-In Centers) of the Trinidad and Tobago Police Service in 22 communities of the country. They provide support services in cases of domestic violence, rape and incest and promote community participation through the creation of support groups adopting a comprehensive approach with emphasis on primary and secondary prevention and the protection and rehabilitation of people in situations of greater vulnerability.</p>	<p>Manual of Procedure and Investigation of Domestic Violence for Police Officers.</p>
<p>JUDICIAL: Office or similar of victims' defense Judicial Power</p>		<p>Legal Assistance Authority. When a person needs urgent legal assistance regarding procedures related to domestic violence, this Authority issues an Emergency Certificate to obtain immediate representation.</p> <p>Victims Advocacy Program (Division of Gender Affairs, police and judicial and social sector). Aimed at promoting access to justice and the empowerment of victims / survivors so that, if they have initiated a judicial process, they have tools to negotiate strategically in all instances of the process.</p>	
<p>JUDICIAL: Foundation of NGO or juridical services.</p>		<p>Legal Aid Clinic, Hugh Wooding Law School, St. Augustine. Offers legal assistance to people with financial difficulties.</p>	
<p>JUDICIAL: Office or similar victim</p>			

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assistance Public Ministry.				
JUDICIAL: Prosecutor's offices specialized in Violence against women				
JUDICIALS: Institute or similar of legal medicine				
TREATMENT PROGRAMS DIRECTED TO THE REHABILITATION OF AGGRESSORS ²				

The Complaints Division of the Police receives and investigates independently, reports of criminal and corrupt practices or misconduct by police officers.

At the level of prosecution, cases related to sexual offenses are heard on camera (not in a public hearing). This is governed by the Sexual Offenses Act of 1986.

There is no information available on the existence of a specific mechanism to receive complaints from users regarding the justice system.

There is no information available on the existence of criminal investigation protocols on crimes of violence against women, femicides and violent deaths of women with a gender perspective.

Recommendations for improvement of police and judicial services

1. **Guarantee access to justice for all women, without discrimination, because of their sexual orientation, gender identity, ethnic origin, race, disability, immigration status, through effective mechanisms that allow them to have quality services throughout the institutional route of care, research and processing.**

² The Essential Services package for women and girls who suffer violence mentions in the corresponding Guide to police and judicial services, the need for aggressor rehabilitation programs with specific methodology, minimum sessions and systematized tools to assess: compliance by the aggressors, the safety of the victims and the reduction of the incidence of violence.

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5. Health Services

SPECIALIZED SERVICE ON VAW.		Description of the service (include profile and coverage of professionals who attend VCMN at the national level).	Acting Instruments
Yes	No		
		<p>102 health centers in communities provide rural women and men. In 2007, 10 mobile health clinics were set up, which made it possible to increase services to rural communities.</p> <p>The Ministry of Health operates an extensive program of HIV / AIDS care coordinated by the HIV / AIDS Coordinating Unit, responsible for the monitoring and evaluation of the HIV / AIDS plan.</p> <p>Sexual and reproductive health services, including rapid HIV / AIDS testing, are available throughout the country at public health centers and hospitals; and at the Queen's Park Counseling and Clinic Center. In addition, two major NGOs, namely the Family Planning Association and the Cancer Society, provide mobile reproductive and reproductive health services (such as Pap tests and pregnancy tests).</p>	<p>Protocols for the care of victims of criminal offenses, gender violence and against minors, Ministry of Health.</p> <p>Communication strategy to end gender and sexual violence against women and children, 2015 (supported by PAHO).</p>

Recommendations for the improvement of health services

1. **Adopt all necessary measures to prevent pregnancies in girls and ensure that pregnancies of girls under 14 are considered high-risk pregnancies and their legal interruption is allowed.** Additionally, strengthen the mechanisms of interaction between the health and judicial sectors in cases of sexual violence against girls. Adopt the draft SRH Policy; facilitate minor's access to SRH services; integrate HIV and SRH services.

6. Social Services

SOCIAL SERVICES	ESPECIALIZED SERVICE ON VAW.		Description of the service (include profile and coverage of professionals who attend VCMN at the national level).	Acting instruments
	Yes	No		
VAW emergency line			National Domestic Violence Hotline (800-SAVE) , a free service that	

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			<p>operates 24 hours a day, 7 days a week (through the Domestic Violence Unit in the Division of Gender Affairs). Provides counseling, listening and referral services to victims and perpetrators of domestic violence.</p> <p>Specific children's line for girls and boys who are victims of abuse by the Children's Authority. It operates 24 hours a day, 7 days a week.</p>	
Governing body for the care of children and adolescents				
Responsible agency for the care of people with disabilities				
Ministry of Labor (Job placement services for women who suffer violence)				
Institution of support for micro, small and medium enterprises (Services for women who suffer violence)				
Leading institution of vocational training (training services for women who suffer violence)				
Comprehensive care centers (One stop center): include n ° of Centers and places where they are located			<p>Crisis Center for Violations.</p> <p>12 centers operated by civil society that receive subsidies from the State and in which comprehensive and free care is provided to victims / survivors and their families and from which the corresponding referrals are made.</p> <p>9 shelters for women who are victims of domestic violence (supported by</p>	

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		<p>the government and administered by NGOs). Soon, three shelters for victims of domestic violence will be set up and a Service and Training Activities Center to support the shelters. TO UPDATE</p> <p>Women’s City Center. Initiative supported by the Inter-American Development Bank that aims to provide comprehensive services for women in the areas of: violence against women, sexual and reproductive health, economic autonomy, community education and child care. Some modules will be launched soon in the Activity Center.</p>	
<p>Other relevant institutions (Ministry of Education, Ombudsman, etc.)</p>		<p>Legal Aid and the Ombudsman provide free legal advice for victims of violence.</p> <p>National Family Services (Ministry of Social Development and Family Services).</p> <p>Institute of Gender and Development Studies, University of the West Indies, St. Augustine has Comprehensive Models of Care to Prevent and Address Gender Violence / Sexual Violence. CLEAR OUT</p> <p>The Children's Authority provides comprehensive services for girls and boys under 18 who are survivors of violence since 2015</p>	<p>The Ministry of Education has established standards to demand the reporting of child sexual abuse through Circular Memorandum No. 76 of 2008 and the 2009 National School Code of Conduct.</p>

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Some NGOs that offer services of attention, advice and references to victims of violence are Families in Action, ChildLine, the Trinidad and Tobago Coalition against Domestic Violence and the Rape Crisis Society. But none participates as a consultant or whistleblowers in criminal proceedings for violence against women and femicide.

With regard to assistance programs for girls and adolescents, the "Elections Program - Adolescent Mothers Program" serves young pregnant women and young mothers at risk, providing daycare services, individual and group counseling, skills training, information about health, courses and training in personal development. The Family Planning Association of Trinidad and Tobago and the Cancer Society of Trinidad and Tobago provide mobile sexual and reproductive health clinics for girls in rural areas.

Recommendations for the improvement of social services

7. Information and statistics

The public sector institutions that produce or generate statistical information on violence against women are the Police Service, the Crime and Problems Analysis Unit, the Domestic Violence Unit, the Domestic Violence Hotline (800-SAVE), the Ministry of Planning and Development and the Central Statistical Office, the Office of the Prime Minister (Gender and Children's Affairs), the Division of Gender Affairs, the Ministry of Health, the Regional Health Authorities, the Judiciary, the Court of Family and the Children's Authority.

However, the challenges in terms of violence information and statistics are diverse. For example, statistics compiled by the Trinidad and Tobago Police Service are not disaggregated by sex or age, but by type of crime. For its part, the Ministry of Health does not collect data by age group. The central statistical office (CSO) of this Ministry is responsible for collecting data disaggregated by age, but due to various problems, the data is not available at the moment.

In April 2016, the **Central Registry of Domestic Violence** was launched. Institutions and NGOs are currently in the process of entering data. This registry will allow a deeper understanding of the incidence of domestic violence; will help identify groups at risk; and monitor the effectiveness of prevention activities and attention to such violence.

The Office of the Prime Minister (Gender and Children's Affairs) in collaboration with the Ministry of Planning and Development, the IDB and the United Nations agencies are conducting a National Prevalence Survey as part of the strategy to eradicate gender violence.

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Recommendations on information and statistics

1. Collect and present information on the different forms of violence against women, including jurisprudence.

8. Diversity

Recommendations about diversity

9. Coordination and governance

Existence of a mechanism to coordinate the response at the national level and its operation

Since 2015, the Gender Affairs Division has been operating under the Ministry of Social Development and Family Services (Ministry of Social Development and Family Services) and is the state entity responsible for developing policies, projects and programs to address gender and development issues and the elimination of domestic violence through the Domestic Violence Unit under their responsibility. The Division of Gender Affairs is the Institutional Mechanism for the Advancement of Women in Trinidad and Tobago.

Existence of a mechanism to coordinate the response at the local level and its functioning

Description of integral care models

Women's City Center.

References

Trinidad and Tobago Country report. Third round. OAS MESECVI. 2017

From commitment to action: Policies to eradicate violence against women in Latin America and the Caribbean. UNDP and UN Women. 2017. Country fact sheet: Trinidad and Tobago.